

EGYPT: SECURITY, HUMAN RIGHTS, AND REFORM

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BEFORE THE
SUBCOMMITTEE ON
THE MIDDLE EAST AND NORTH AFRICA
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTEENTH CONGRESS
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EGYPT: SECURITY, HUMAN RIGHTS, AND REFORM

TUESDAY, JULY 24, 2018

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 2:45 p.m., in room 2172 Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the subcommittee) presiding.

Ms. ROS-LEHTINEN. The subcommittee will come to order. So sorry about our delay due to votes.

After recognizing myself and Ranking Member Deutch for our opening statements, I will recognize other members seeking recognition for 1 minute. We will then hear from our witnesses.

Without objection, the witnesses' prepared statements will be made a part of the record and members may have 5 days to insert statements and questions for the record, subject to the length limitation in the rules.

I am going to recognize Mr. Cicilline in a minute and I also would like to note that Mr. Genser will only be able to stay with us until 3:30 or so. He needs to catch a plane to West Africa to see—for a meeting and because of the beautiful weather that we are having—where are you—there you are—he had to rearrange his flight.

So we will do our best to get him out of here on time and on that—on the plane.

And thank you—who do we have as our special guest? Mr. French—Mr. Hill, welcome to the committee. Who do you have with you there?

Just you, because your interest that you've spoken to me about on your bill on the Christians—Coptic Christians. So thank you, Mr. French Hill.

Welcome to our committee and thank you for your efforts in support of Egypt's Coptic population, and as I will say in my opening remarks, I am proud to be a co-sponsor of your resolution supporting better treatment and increased protection for the Coptics and I thank you for being with us today, and we will recognize you.

So let me first turn, if I could, Mr. Deutch, to Mr. Cicilline, who has to get to another place and but has an adopted journalist.

Mr. CICILLINE. Yes.

Ms. ROS-LEHTINEN. Thank you, Mr. Cicilline.

Mr. CICILLINE. Thank you, Madam Chairwoman, and thank you, Ranking Member Deutch, for affording me this courtesy.

Thank you for convening this hearing on security, human rights, and reforming Egypt. Egypt consistently ranks as one of the worst countries for freedom of the press.

Under—ushering counterterrorism laws, President Sisi has censored the press and journalists are routinely harassed, arrested, and imprisoned without trial.

This hearing is timely, as this Saturday, a court in Egypt will be deciding whether to execute over 700 individuals who were arrested during the violent dispersal of a protest in 2013.

One of these individuals is photojournalist Mohammed Abu Zeid, who is professionally known as Shawkan. I was made aware of Shawkan's case through the Lantos Commission's Defending Freedoms Project and I am so outraged by the conditions surrounding his arrest and detention that I decided to advocate on his behalf. Shawkan is an Egyptian freelance photojournalist whose work has been published in international publications including the New York Times.

On August 14th, 2013, while photographing the events occurring in Rabaa Square, he was taken into custody along with two other journalists.

The other journalists, however, were foreign nationals and were released within 2 hours, while Shawkan, only 25 at the time, has been abused, beaten, and denied his freedom, due process, and adequate medical treatment ever since simply because he was doing his job.

In 2016, the U.N. Human Rights Council Working Group on Arbitrary Detention issued a report on his case. It regarded his detention as arbitrary and recommended that he be released immediately.

I sent a letter to President Sisi of Egypt today, urging him to support the immediate release of Shawkan or, at the very least, to support an individual trial so that evidence specific to his case can be heard and contested.

To paraphrase Shawkan, photography is his passion, but he should not have to pay for his passion with his life.

Thank you for convening this hearing and to our witnesses for taking the time to share their knowledge on these very consequential issues and I really thank the chairman for giving me an opportunity to make those comments, and I yield back.

Ms. ROS-LEHTINEN. Of course. Thank you very much, Mr. Cicilline.

The Chair now recognizes herself for 5 minutes

U.S. policy toward Egypt is an issue many of us on this subcommittee and, indeed, many of us generally in Congress have debated over the past few years but especially since the revolution of 2011.

I think many of us recognize the strategic importance of Egypt and the role that it plays in the greater Middle East, and we can all understand the challenges that Egypt has faced since 2011, particularly in respect to security—both national security and economic security.

President Sisi has had a very difficult task in implementing some IMF-mandated reforms. We have seen some positive signs as he makes progress, particularly with reductions in food and fuel subsidies.

There are signs that economic growth is on pace for its highest since 2008 and Egypt may even have a budget surplus this year. Egypt has begun to commercialize its natural gas resources.

Yet, as positive as all those signs are, there is still many questions as to whether the reforms or the level of growth are enough. Egypt is the Middle East's largest country with a rapidly expanding population.

The struggles to keep the economy driving while also facing a growing terror threat from ISIS in the Sinai and the Muslim Brotherhood are daunting.

But for many of us, while we appreciate the difficult position this puts President Sisi in, we worry that the human rights of Egyptians are being curtailed and that the government's repressive behavior will undermine Egypt's long-term stability.

As such good friends, it is important for the United States to let our partners in Egypt know that we are there to support its counterterrorism efforts, but our ideals, our values, our interests will not countenance the erosion of human rights in the name of the fight against terror.

After all, the United States has been one of Egypt's largest supporters over the years in terms of economic assistance—in terms of military assistance.

In just the past 5 years, the U.S. has provided over \$7 billion in bilateral aid to Egypt, and Egypt has been key to holding the line against the Islamic State's Sinai province affiliate, a U.S.-designated foreign terrorist organization.

But at what cost? President Sisi launched an offensive earlier this year named Operation Sinai 2018. I am supportive of the objective but I am concerned about the effectiveness of the military's tactics and the lack of transparency in its efforts against ISIS.

I am concerned over allegations that Egypt has used counter terror operations as a means to crack down on its opposition.

The state of emergency laws have been extended and we have heard reports of the rights of journalists, as Mr. Cicilline just pointed out, activists, and critics of the Sisi government—their rights have been curtailed.

One of the most important roles that Congress has is that of oversight—oversight over the administration's policies but also oversight over how the American taxpayer dollars are being spent.

So, naturally, we want to be cautious. We want to ensure that our assistance is promoting our values and our ideals and long-term stability.

We should continue to support Egypt's legitimate operations against the terror groups. But this is by no means a green light to take whatever action the government wants.

There must be protections for the citizens of Egypt and their human rights must be respected. I hope that Egypt, while implementing its economic reforms, will also assess making additional reforms to guarantee the human rights of all of its citizens. That includes revoking the controversial NGO law that President Sisi

enacted last year, which is making it difficult for civil society to operate and to promote democratic ideals and democracy programs.

It also means ensuring that the rights of ethnic and religious minorities like the Coptic Christians, which Mr. French Hill is very concerned about, are protected and guaranteed.

I have joined Mr. Hill in introducing House Resolution 673 expressing concern about the attacks against Coptic Christians in Egypt and it's my sincere hope that Egypt protects all of its citizens.

I also want to raise the issue of the 20 or so U.S. citizens and legal permanent residents who are currently being detained in Egypt, possibly under dubious causes.

I urge Egyptian officials to ensure their rights, their safety, and their wellbeing are being taken care of and that their rights are not being violated.

In addition to finding a fair and immediate resolution to those cases, I am hopeful for a resolution in the ongoing case against the 43 NGO workers, an issue I've personally been engaged in from day one, and I know it's an issue that many of our colleagues are eager to see resolved.

I thank the Egyptian government for working with our State Department officials to try to find a way forward. It is my understanding that we continue to work toward that and to resolve it.

But I encourage the Egyptians to resolve this as soon as possible. I encourage the Egyptian government to continue to work with Congress. We can find a way to build this relationship for the betterment of both of our countries. But we have to find a way to do it in a manner that both secures the country and secures the human rights of all of Egypt's citizens.

And with that, I am pleased to turn to Mr. Deutch, our ranking member.

Mr. DEUTCH. Thank you, Madam Chair, for calling this hearing. I also want to extend my gratitude to this really terrific panel of experts.

Egypt is an important ally for the United States and has been for decades. It is a leader in the Arab world and has been a strong counter terrorism partner to both the United States and Israel.

I value the relationship that we share with Egyptians. But I must express my sincere concern about some of the activities and trajectory of the Egyptian government.

The state of democratic governance and human rights in Egypt has continued to challenge me. We have watched as civil society and NGOs, including Americans and dissenting voices, are prosecuted and even unlawfully imprisoned.

There continue to be reports of torture and other concerning human rights offenses in the country and the crackdown on journalists and the free press is shocking.

Arrests of journalists and increased efforts to control the media and Egyptians' access to social media are an affront to democracy and stand in stark contrast to the democratic change the Tahrir Square revolution called for.

Many of Sisi's actions appear to me as steps toward an authoritative strongman-led government. The Egyptians have striven and

fought for democracy and a return—and deserve a move toward freedom and democracy, not a return to totalitarianism.

Sisi's recent reelection is further fodder for worry about Egypt's prospects for a thriving democracy. The election was, by all accounts, theatrics, as potential challengers were intimidated and oppressed.

There were mass arrests and dissenting voices in the media limited to only those at issue with the state's official message.

Women continue to face daily obstacles. Cairo has been listed among the most dangerous large cities for women. Assaults, harassment, verbal abuse, and fear are commonplace for Egyptian women.

And while we have observed some progress, like Egypt banning the practice of female genital mutilation, girls continue to be cut in secret.

Furthermore, Egypt's discrimination against the LGBTQ community, often arrested under claims of membership in groups aiming to overthrow the government is, again, a key concern for Egypt's overall trajectory.

We have seen some indication Egypt's economy is making gradual improvements but the country continues to lag behind in extending economic growth to rural and impoverished regions.

Economic reform and improved economic opportunity will be key to Egypt's future. In the realm of terrorism, Egypt has been a dedicated fighting force against ISIS cells throughout the country, particularly in the Sinai.

ISIS is still a global terror group and its loss of territory in Iraq and Syria does not mean that the group has been defeated. Egypt's dedication to fighting this dangerous terrorist group reflects common ground with the United States and we are most grateful for that.

With that in mind, we, as Congress, must still emphasize the need for human rights while embarking upon a comprehensive coordinated counterterrorism counter insurgency strategy.

The press needs to be free to report factual news and Egypt cannot implement domestic political policies under the guise of security.

I've said this at every hearing that we have had on Egypt since the revolutions that took down Mubarak. It doesn't matter who sits in the government—our message and respect for human rights must remain the same.

While the United States desperately wants to see Egypt's security and economy sectors be strengthened and bolstered, we cannot ignore the suffering of people and the challenge to democracy just to focus on economic and security assistance.

I want to see a stable Egypt—one that continues decades of partnership with the United States. But there must be security and human rights improvements as well.

Human rights are vital to the growth of a healthy democracy and these issues cannot be put on the back burner under the guise of focusing first on the economy or other factors.

I look forward to the conversation today and I again want to thank all of our witnesses for being here and I yield back the balance of my time. Thanks.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Deutch.

Now we will turn to members for their statements. Mr. Donovan, Ambassador Wagner, and Mr. Hill.

Mr. DONOVAN. Thank you, Madam Chairman, and thank you, Ranking Member Deutch, for conducting this important hearing today on Egypt security, human rights, and reform.

In the past, the United States and Egypt have enjoyed a friendship and partnership. But Egypt's drift toward China, Russia, and, most especially, North Korea raises grave concerns.

As we all know, 2 years ago, U.S. intelligence tracked a North Korean ship that was headed toward Egypt. U.S. officials warned Egyptian officials and an Egyptian naval vessel ordered the crew to halt for an inspection.

In addition to the cargo listed on the ship's manifest, there were also over 2,400 North Korean rocket-propelled grenades and completed components for 6,000 more.

As the United Nations report concluded, this was the "largest seizure of ammunition in the history of sanctions against the Democratic People's Republic of Korea."

The evidence against Egypt was clear. For example, each crate had been stenciled with the name of an Egyptian company. Many of the rounds were practice rounds, demonstrating that they were intended for training for a sizeable army.

There is no doubt the shipment of North Korean weapons was intended for the Egyptian military. While the United States has cited this incident as a reason for delaying \$300 million in aid, I am looking forward to hearing what more we could do to dissuade the Egyptians from violating international law and partnering with North Korea.

We are happy to work with Egypt and honor our historic relationship. But Egypt must do its part as well.

And with that, Madam Chairwoman, I waive the remainder of my time.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Donovan. Ambassador Wagner.

Mrs. WAGNER. Thank you, Madam Chair, for hosting this hearing, and thanks to our witnesses for your expertise.

Egypt has been a valuable partner in managing Israeli-Palestinian tensions, countering terrorism, and supporting U.S. military operations in the region. But, despite receiving significant support from the United States, Egypt remains a problematic partner due to its serious human rights abuses, especially persecution faced by Coptic Christians.

Egypt's historical importance to our regional policy goals shouldn't give it a free pass. Our close relationship means we have an opportunity to help Egypt achieve real progress in safeguarding human rights and advancing democratic reforms. United States must continue to hold Egypt to a high standard.

I thank you, Madam Chair, and I yield back.

Ms. ROS-LEHTINEN. Thank you, Madam Ambassador.

Mr. Issa of California.

Mr. ISSA. Thank you, Madam Chair. And on a slightly different note, unequivocally, we need Egypt as much or more than Egypt needs us.

Our relationship with Egypt has been strained, but it was strained in no small part because the Obama administration allowed the Muslim Brotherhood to take over, run the country, persecute Christians in a way that no Coptic Christian I know had ever seen.

Since the takeover of the new regime, we have shown indifference to them. We have gone out of our way to withhold funds, so much so that they have in fact—and I regret that they have made this decision—I think it's a bad decision—looked elsewhere at times for military weapons.

The bottom line is the only safe border that Egypt has is the one with Israel, and even that border takes divisions to guard against operatives ISIS in the Sinai.

So I will say to my colleagues, yes, I would like to see better human rights. But ask a Coptic Christian which they'd rather have—the last regime that my previous President endorsed, or the regime today that's fighting ISIS and other enemies on all its borders while defending Israel's border so that it need not worry nearly the way it had in the past.

And I yield back.

Ms. ROS-LEHTINEN. Thank you, Mr. Issa, and to talk about the Coptic Christians, Mr. Hill is recognized. Welcome to our subcommittee.

Mr. HILL. Thank you, my friend from Florida, the chairwoman, and the ranking member for the opportunity to speak today.

I am proud to be a sponsor of House Resolution 673, which expresses concerns over a tax on Coptic Christians in Egypt.

While I give full credit to President el-Sisi for his work to promote religious tolerance and support for Egyptian Copts, I believe there is much more than can be done to ensure that the President's message trickles down and is implemented by his government's educational, cultural, and provincial officials.

On the heels of the recent Department of State report, I'll look forward to hearing today from witnesses on the ways that Egypt can improve in this area.

I thank the chairwoman and Mr. Cicilline for their friendship and their work and original co-sponsor on this resolution and I thank the five other members of this subcommittee and 14 members of the full committee to co-sponsor this message of appreciation for efforts made and call for continued progress.

And with that, Madam Chair, I thank you and I yield back.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Hill.

And now I would like to introduce and recognize to speak first Mr. Jared Genser—I hope that you make your flight—managing director of the Perseus Strategies and adjunct professor of law at Georgetown University Law Center.

Mr. Genser is known for his work freeing political prisoners and is a recipient of the American Bar Association's international human rights award. Thank you for being here today and we will recognize you, first off.

**STATEMENT OF MR. JARED GENSER, ADJUNCT PROFESSOR
OF LAW, GEORGETOWN UNIVERSITY LAW CENTER**

Mr. GENSER. Thank you, Madam Chairwoman, Ranking Member Deutch, and distinguished members of the committee.

It's great to be with you all this afternoon. First, I'll discuss my prospective on the situation of human rights in Egypt.

Second, I'll talk about some of the important issues between Egypt and the United States and the bilateral relationship and then, lastly, I'll provide my recommendations about how I believe the U.S. should use its leverage from our annual appropriations to Egypt to secure important reforms.

For the sake of time, let me just summarize first that the situation of human rights in Egypt, which I have expounded more upon in my written testimony, because the situation I think is well known to all of you, under President Sisi crackdowns on freedom of speech, expression, assembly, and religion are commonplace, today there are tens of thousands of political prisoners.

Police forces employ arbitrary arrests, extrajudicial execution, and enforced disappearances to punish dissent, not only political opponents—lawyers, NGO workers—but also journalists and bloggers as well.

Travel bans and asset freezes are deployed against human rights defenders and national security officers routinely torture political detainees with techniques that include beatings, electric shocks, stress positions, and sometimes even rape.

And, of course, we have already heard mentioned from all of you this afternoon the situation of the Coptic Christian community, which continues to face serious repression and persecution as well as the GLBT community in Egypt as well.

While the Egyptian people have faced the brunt of the abuses under Sisi's authoritarian rule, there are three especially important human rights concerns directly connected to the United States Sisi has inexplicably allowed to fester, despite the U.S. having provided more than \$76 billion of foreign assistance since 1948 and \$1.3 billion annually in military assistance alone in recent years.

First, some 5 years after the felony convictions of the 43 Egyptian and foreign NGO workers, 17 of whom are Americans, the affair has remained an unfortunate irritant in U.S.-Egypt relations.

It appears Cairo and Washington are close to a resolution of the case and I can only hope for all those impacted that we see a fair and expedient resolution.

I know both the U.S. and Egypt have remained actively engaged in discussion this issue and I believe if it were to get a fair resolution, it could be an important measure that shows Egypt's willingness to improve our bilateral relations and in a small part its human rights record, although I would note, of course, that the NGO law that President Sisi promised not to sign after visiting the Congress and with the President here in Washington, he did in fact sign and despite promises now that it's not going to be enforced, in fact, we have already seen enforcement well underway, as I know some of the other panelists will discuss.

Second, the government of Egypt continues to wrongly imprison close to 20 American citizens and legal permanent residents.

This includes Mustafa Kassem, an American auto parts dealer caught up in the crackdown in Rabaa Square, and it includes two clients of mine, Ola al-Qaradawi and Hossam Khalif, a married couple who were approved for green cards during the Trump administration and have eight American citizen family members.

In the last month, the U.N. High Commissioner for Human Rights called for Ola and Hossam's immediate release and the U.N. Working Group on Arbitrary Detention found that they were being held arbitrarily and in violation of international law.

Both have been held incommunicado in terrible conditions and without regular access to counsel or any access to family for more than a year.

Ola is the longest held female political prisoner in solitary confinement by the Egyptian regime and she's been on a hunger strike, demanding her most basic human rights and her immediate release.

And while the Trump administration did secure the release of two Americans—Aya Hijazi and Ahmed Etiwy—more hostages have been taken by this purported ally of the United States.

Finally, there is the case of April Corley, a U.S. citizen who's also a client of mine and who was seriously injured in Egypt's Western Desert in an attack by the Egyptian military using a U.S.-funded and supplied Boeing AH-64 Apache helicopter in September 2015.

April is now permanently disabled, unable to work, and in constant pain. Yet, while the government of Egypt has expressed its remorse, it has offered less money as a settlement in the cost of the medivac out of Egypt, which she had to pay for herself.

Sisi has so far rightly concluded that U.S. military assistance comes with a license to kill or injure Americans with total impunity.

Because he actually has the full protection of our legal system to do so, April in fact cannot even sue Egypt for her injuries because of the Foreign Sovereignty Immunities Act, and, inexplicably, neither President Trump nor President Obama nor the U.S. Congress has imposed any consequence on Egypt for refusing to fairly resolve April's case or secure a final resolution of the case, despite the fact that it was U.S.-funded equipment that she, as a taxpayer, paid for that led to her plight.

Lastly, let me talk about my recommendations about how to improve Egypt's human rights record. As a human rights lawyer, I am often asked to comment on the most effective ways to improve the compliance of governments with their binding obligations under human rights treaties to which they are a party.

That is, indeed, generally, an enormous challenge. But in the case of the bilateral relationship between the United States and Egypt, our government has enormous leverage.

Contrary to the view of the government of Egypt, which sees our foreign assistance as an entitlement and not as a privilege, the United States has no legal obligation to provide assistance to Egypt.

While it is in our regional strategic interest to support Egypt in its fight against Islamic extremism and terrorism, today it is a less important and less effective ally as it is both at times aligned itself

with Russia and North Korea and its own capabilities to support our objectives have been degraded from within.

It is equally a major error in judgement for the United States to ignore the way that Sisi is governing, which works directly in contravention of that goal.

Indeed, our country knows from experience that radicalization occurs in environments in which an authoritarian ruler suppresses the population's democratic aspirations for self-governance, seriously represses its rights, and poorly manages an economy that has a lack of good-paying jobs, especially for young people.

All of these elements exist in Sisi's Egypt today. Surely, Egypt can find a way to address this legitimate security concerns while ensuring both the rule of law and human rights are respected.

Indeed, this is in the interests of both the U.S. and Egypt, as its stability and leadership is important for a secure and stable Middle East.

Yet, right now, unfortunately, it's business as usual here in Washington, with Egypt's aid flowing, basically unimpeded.

This not only sends the wrong message to Cairo but it puts our regional strategic interests at greater risk in both the medium and longer term.

The smartest way forward for the United States is for President Trump and Secretary Pompeo as well as the U.S. Congress to send a clear and consistent message to Sisi that while the United States views Egypt as an important ally, the American people expect our allies to act in certain ways.

First, the United States must say that Egypt's actions targeting American citizens and legal permanent residents must stop.

For President Trump, who has spoken of America first, this motto is empty rhetoric if he tolerates any of this behavior by the Sisi government.

The President should tell Sisi privately, as a start, that if he doesn't permanently resolve the NGO cases, pardon the wrongly imprisoned Americans in LPRs and pay appropriate compensation to April Corley, all three of which Sisi can do today within his powers as President.

Then President Trump will have no choice but to make serious cuts in Egypt's aid. It is particularly worrying that the administration way waive the human rights conditions on and release the \$195 million in fiscal year 2017 funds that have been held back, which will undoubtedly be taken by Sisi as a clean bill of health on human rights.

Second, the U.S. Congress needs to speak in one voice about the path that's easiest taken as being unacceptable. While the fiscal year 2019 foreign operations appropriations bill in the Senate imposes human rights conditions on 30 percent of Egypt's proposed \$1 billion in reduced military assistance, the House bill maintains \$1.3 billion in military assistance and imposes no conditions of any kind.

As authorizers, you have the ability to advocate with your colleagues and, ultimately, help ensure that the final bill that will come out from the conference committee and will go to the floor of the House and the Senate imposes the human rights conditions from the Senate version of the bill.

If those human rights conditions are dropped, the message sent to Sisi would be unmistakable—that the United States will ignore his abuse of numerous Americans, his evisceration of Egypt’s democracy, and the egregious abuses that he’s imposed on his own population, all in the name of a so-called greater good.

Finally, we need transparency and visibility here in Washington, not only about the U.S.-Egypt relationship but the way in which the Sisi government treats its own people.

This hearing is an important start. Nonetheless, I can’t remember the last time I saw any administration official from the Trump administration or Obama administration before it actually testify before the U.S. Congress about the realities of the U.S.-Egypt relationship, and it is important for the Congress to hear directly from victims of the Sisi government, both American and Egyptian.

Thank you for the opportunity to testify before you today and I am happy to also answer any questions.

[The prepared statement of Mr. Genser follows:]

Statement Before

U.S. House of Representatives
Committee on Foreign Affairs
Subcommittee on Middle East and North Africa

“Egypt: Security, Human Rights, and Reform”

Testimony:

Jared Genser

Adjunct Professor of Law, Georgetown University Law Center

July 24, 2018

Thank for you for opportunity to testify before you today about the situation in Egypt and the important and complex relationship between Egypt and the United States.

In my remarks this afternoon, I will first discuss my perspective on the situation of human rights in Egypt and its impact on the security situation. Second, I will focus on especially important human rights issues impacting the bilateral relationship. And finally, I will provide my recommendations as to how the United States should use its leverage from its annual appropriations to Egypt to secure important reforms.

I. The Situation of Human Rights in Egypt

After the Egyptian military’s coup ousting President Mohamed Morsi in July 2013, the Egyptian people hoped that the social and political upheaval wrought by the toppling of Hosni Mubarak following by the authoritarian rule of Morsi would yield to a new stability. But the next month, the army attacked a demonstration in Rabaa al-Adawiya Square, killing more than a thousand Morsi supporters and then held a mass trial where 739 people, real and imagined supporters of the Muslim Brotherhood, were sentenced to death. President Abdel Fattah al-Sisi’s election in June 2014 was supposed to restore economic and political stability, but today Egypt is more authoritarian than it has been in decades.

Under Sisi, crackdowns on freedoms of speech, expression, assembly, and religion are commonplace and new repressive laws have effectively outlawed dissent. Just a few months into office, for example, Sisi signed a law banning demonstrations without police approval. Since then he has adopted new laws to weaken fair trial guarantees and expand the executive branch’s ability to imprison dissenters – today there are tens of thousands of political prisoners. Police forces employ arbitrary arrests, extrajudicial execution, and enforced disappearances to punish dissent. Travel bans and assets freezes are deployed against human rights defenders. And national security officers routinely torture political detainees with techniques including beatings, electric shocks, stress positions, and

sometimes rape. Coptic Christians, an estimated 10 percent of Egypt's population and a historic target of legal and societal discrimination, have been victims of sectarian attacks with impunity. And the government has also relentlessly targeted sexual and gender minorities for serious repression, with Human Rights Watch having reported 230 LGBT people prosecuted and 50 sentenced on "debauchery" charges.

Under Sisi, there has also been an unprecedented crackdown on NGOs. In May 2017, Sisi ratified the new NGO law – despite having just come from a trip in Washington where he told President Trump and Members of Congress he wouldn't sign it – which is effectively eradicating independent civil society groups. The law prohibits NGOs from conducting activities that "harm national security, public order, public morality, or public health"; allows the government to cancel a foreign NGO's license at any time; and imposes onerous requirements for accepting domestic or foreign funds. More than 180 NGO workers have been arrested or prosecuted in recent years. Sisi now says he won't enforce the law, but it appears it is already being applied.

While the country has faced major security threats and attacks by armed groups affiliated with ISIL in the Sinai, it is also using counterterrorism and state-of-emergency laws to target legitimate dissenters, some of whose cases have been transferred to the Emergency State Security Courts, a parallel judicial system operating since October 2017, which has limited fair trial guarantees and whose decisions are not subject to appeal. Among those detained, for example, has been Amal Fathy, a political activist and wife of the head of the Egyptian Commission for Rights and Freedoms.

On April 2, 2018, Sisi was reelected president with 97 percent of the votes, with lower than expected turnout and despite all the economic, security, and human rights challenges the country faced during his first term. The only opponent allowed to run against Sisi had supported his campaign until the day before he registered as a candidate.

II. Human Rights Issues in the Bilateral Relationship

The Egyptian people have faced the brunt of the abuses under Sisi's authoritarian rule. But there are three especially important human rights concerns directly connected to the United States that Sisi has inexplicably allowed to fester, despite the U.S. having provided more than \$76 billion in foreign assistance since 1948 and \$1.3 billion annually in military assistance alone in recent years.

First, some five years after the felony conviction of 43 Egyptian and foreign NGO workers, 17 of whom were Americans, the affair has been an unfortunate irritant in U.S.-Egypt relations. It appears Cairo and Washington are close to a resolution of the case, and I can only hope that for all of those impacted by this case, we see a fair and expedient resolution. I know that both the United States and Egypt have remained actively engaged on this issue, and I believe if it were to get a fair resolution, it could be an important measure that shows Egypt's willingness to improve our bilateral relations and its human rights record.

Second, the Government of Egypt continues to wrongly imprison close to 20 American citizens and legal permanent residents. These include Mustafa Kassem, an American auto parts dealer caught up in the crackdown in Rab'aa Square. And it includes two clients of mine, Ola Al Qaradawi and Hossam Khalaf, a married couple who were approved for green cards during the Trump Administration, and have eight American citizen family members. In the last month, the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein called for Ola and Hossam's immediate release and the UN Working Group on Arbitrary Detention found they were both being held arbitrarily and in violation of international law. Both have been held *incommunicado*, in terrible conditions, and without regular access to counsel or any access to family for more than a year. Ola is the longest held female political prisoner in solitary confinement by the Egyptian regime. Ola has also been on a hunger strike demanding her most basic human rights and her immediate release. While the Trump Administration secured the release of two Americans, Aya Hijazi and Ahmed Etiwy, more hostages have been taken by this purported ally of the United States.

Finally, there is the case of April Corley, a U.S. citizen who is also a client of mine, who was seriously injured in Egypt's Western desert in an attack by the Egyptian military using a U.S.-funded and supplied Boeing AH-64 Apache helicopter in September 2015. April is now permanently disabled, unable to work, and in constant pain. Yet while the Government of Egypt has expressed its remorse, it has offered less money as a settlement than the cost of the Medevac out of Egypt, which April had to pay for out of her own pocket. Sisi has rightly concluded that U.S. military assistance comes with a license to kill or injure Americans with total impunity because he actually has the full protection of our legal system to do so. April, in fact, cannot even sue Egypt for her injuries because of the Foreign Sovereign Immunities Act. Inexplicably neither President Trump nor President Obama nor the U.S. Congress has imposed any consequence on Egypt for refusing to fairly resolve April's case or secured a final resolution of the case, despite the fact that it was U.S.-funded equipment that led to her plight.

III. Recommendations to Improve Egypt's Human Rights Record

As a human rights lawyer, I am often asked to comment on the most effective ways to improve the compliance of governments with their binding obligations under human rights treaties to which they are a party. That is indeed, generally, an enormous challenge.

But in the case of the bilateral relationship between the United States and Egypt, our government has enormous leverage. Contrary to the view of the Government of Egypt, which sees our foreign assistance as an entitlement and not a privilege, the United States has no legal obligation to provide assistance to Egypt.

While it is in our regional strategic interests to support Egypt in its fight against Islamic extremism and terrorism, today it is actually a less important and less effective ally as it has aligned itself with Russia and North Korea and its own capabilities to support our objectives have degraded from within. It is equally a major error in judgment for the

United States to ignore the way Sisi is governing, which works directly in contravention of that goal. Indeed, our country knows from experience that radicalization occurs in environments in which an authoritarian ruler suppresses a population's democratic aspirations for self-government, seriously represses its rights, and poorly manages an economy that has a lack of good paying jobs, especially for young people. All of these elements exist today in Sisi's Egypt. Surely Egypt can find a way to address its legitimate security concerns while ensuring that both the rule of law and human rights are respected. Indeed, this is in the interests of both the U.S. and Egypt as its stability and leadership is important for a secure and stable Middle East.

Yet it is business as usual here in Washington, with Egypt's aid flowing, basically unimpeded. This not only sends the wrong message to Cairo, but it puts our regional strategic interests at great risk in both the medium and longer term. The smartest way forward for the United States is for President Trump and Secretary Pompeo as well as the U.S. Congress to send a clear and consistent message to Sisi that while the United States views Egypt as an important ally, the American people expect our allies to act in certain ways.

First, the United States must say that Egypt's actions targeting American citizens and LPRs must stop. For President Trump, who has spoken of "America First," this motto is empty rhetoric if he tolerates any of this behavior by the Sisi government. The President should tell Sisi, privately as a start, that if he doesn't permanently resolve the NGO cases, pardon the wrongly imprisoned Americans and LPRs, and pay appropriate compensation to April Corley – all three of which Sisi could do today, fully within his powers as president – then he will have no choice but to make cuts to Egypt's aid. It is particularly worrying that the Administration may waive the human rights conditions on and releasing the \$195 million of FY17 funds that have been held back, which will undoubtedly be taken by Sisi as a clean bill of health on human rights.

Second, the U.S. Congress needs to speak in one voice about the path that Sisi has taken as being unacceptable. While the FY19 foreign operations appropriations bill in the Senate imposes human rights conditions on 30 percent of Egypt's proposed \$1 billion in reduced military assistance, the House bill maintains \$1.3 billion in military assistance and imposes no conditions of any kind. As authorizers, you have the ability to advocate with your colleagues here in the House to ensure that regardless of the amount of money ultimately appropriated for Egypt that the final foreign ops approps conference committee bill contains the proposed human rights conditions from the Senate version. If those human rights conditions are dropped, the message sent to Sisi would be unmistakable – that the U.S. will ignore his abuse of numerous Americans, his evisceration of Egypt's democracy, and the egregious abuses that he has imposed on his own population.

Finally, we need greater transparency and visibility here in Washington not only about the U.S.-Egypt relationship but also the way in which Sisi's government treats its own people. This hearing is an important start. Nonetheless, I can't remember the last time I saw any Administration official – from the Trump Administration or Obama

Administration before it – testify before the U.S. Congress about the realities of the U.S.-Egypt relationship. And it is also important for the Congress to hear directly from victims of the Sisi government, both American and Egyptian.

Thank you for the opportunity to testify before you today. I look forward to answering your questions.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Genser. We appreciate you being here and thank you to our panelists for extending that courtesy to him.

We are delighted to welcome back Mr. Samuel Tadros, senior fellow at the Hudson Institute Center for Religious Freedom. Mr. Tadros is also a professional lecturer at Johns Hopkins University School of Advanced International Studies and a distinguished visiting fellow of Middle Eastern Studies at Hoover Institution.

Thank you for being here again. I still can't say your name right. We look forward to your testimony.

And next, we are delighted to welcome Dr. Michelle Dunne, director and senior fellow of the Middle East Program at the Carnegie Endowment for International Peace.

Prior to this post, Dr. Dunne served in the U.S. missions in Cairo and Jerusalem as well as at the National Security Council. Thank you for your service. We look forward to your testimony, Doctor.

And, finally, we are delighted to welcome Mr. Andrew Miller, deputy director for policy at the Project on the Middle East and Democracy and a nonresident scholar at the Carnegie Endowment for International Peace.

Previously, Mr. Miller served at the U.S. Department of State and the National Security Council. Thank you for your service.

We welcome your testimony as well, and we will begin with you, Sam.

**STATEMENT OF MR. SAMUEL TADROS, SENIOR FELLOW,
CENTER FOR RELIGIOUS FREEDOM, THE HUDSON INSTITUTE**

Mr. TADROS. Thank you, Madam Chair, Ranking Member Dutch, distinguished members of the subcommittee. Thank you for holding this hearing and for inviting me to testify today.

I have submitted the written testament with the detailed description of the challenges facing Egypt and recommendations for U.S. policy.

But let me devote those few minutes to discussing the Egypt-American relationship in general.

For the previous four decades, the U.S.-Egypt alliance has been a cornerstone of the American order in the Middle East. After two decades of tensions and conflict between both countries, Secretary Kissinger and President Sadat forged a new basis for the American-Egyptian relationship, helping attain key U.S. objectives during the Cold War.

In return for U.S. aid to Egypt, successive administrations hoped that the country that led the region to war and destruction would now lead it to peace and cooperation.

Despite this, the relationship between the two countries has never been a smooth one. Egypt was always a problematic ally. From Egypt's conduct during the Achille Lauro affair and attempt to smuggle missile components under President Reagan, from its attempt to stop economic cooperation between Arab countries and Israel and its pressure on Nasser Arafat not to give any concessions during the Camp David Summit under President Clinton to the Mubarak Regime's refusal to reform under President Bush's tenure, throughout those three decades there were deep U.S.-Egypt-

tian disagreements over a variety of issues ranging from the peace process, U.S. policies in the region, democracy, and human rights.

Moreover, despite continued U.S. economic and military assistance to Egypt, the Egyptian press allowed to buy the government control by the government, continued to traffic in anti-American and anti-Semitic arguments.

And yet, these previous disagreements and frustrations pale in comparison with attention, disappointment, and mistrust that has shaped the previous decade in U.S.-Egyptian relations.

Policies followed by the Obama administration perceived in Egypt as one that's in support of the Muslim Brotherhood, the condemnation of the military coup, and threats to cut U.S. military aid to the country have led to growing antagonism in Cairo.

In turn, Egypt has shown an unwillingness to cooperate on regional security challenges such as joining the fight against Islamic State in Iraq and Syria, pursue them in dependent policy in Libya, deepen its military and economic ties to the Russian Federation, or pursue a scorched earth strategy to wipe out the Islamic State's affiliate in Sinai, crack down on all forms of dissent in the country, stifling civil society and any independent media, engaged in appalling human rights abuses, continued to attempt to undercut U.S. resolutions in the United Nations, and most importantly, engaged in an unprecedented wave of anti-American propaganda and conspiracy theories at home.

The American-Egyptian alliance is crumbling. For some in Washington, while unfortunate, and end to the alliance is inevitable.

Cold War rationale should no longer be the basis of a continued alliance with a problematic partner and the two countries do not see eye to eye on many important issues.

Moreover, Egypt's regional importance has vastly diminished. Egypt has continued to decline on all levels—economically, culturally, and politically.

It is no longer today the key player in the Middle East that it was in the past. As an external power, Egypt is a shadow of its former self and there are well-founded doubts about its capacity to play a leading and constructive role, even if it wanted to.

Instead, Egypt itself has increasingly become a locus of the region's unfolding strategic competition, an unprecedented political and ideological crisis of the state-based order.

The regional decline is a reflection of deeper ills within Egypt itself. The inability of the country's leadership to reform the economy through market-oriented policies, combatting corruption, and addressing the dysfunctional bureaucracy has worsened the lives of millions of Egyptians.

But continue with all the failures of the government, I hope that the U.S. is able to develop a coherent strategy to deal with these challenges.

Thank you.

[The prepared statement of Mr. Tadros follows:]

**Written Testimony
Samuel Tadros
Senior Fellow – Hudson Institute Center for Religious Freedom**

**The U.S. House of Representatives Committee on Foreign Affairs
Subcommittee on the Middle East and North Africa**

**Egypt: Security, Human Rights and Reform
July 24, 2018**

Madame Chair, Ranking Member Deutch, distinguished Members of the Subcommittee, thank you for inviting me to testify at this hearing on “Egypt: Security, Human Rights and Reform.”

The U.S. Egyptian Alliance

For the previous four decades, the U.S.-Egypt alliance has been a cornerstone of the American order in the Middle East. The largest country in the Middle East in terms of population, with a quarter of the Arabic speaking peoples living within its borders, and for a long time the region’s political and cultural capital, Cairo had often set the pace for the whole region. After two decades of tensions and conflict between both countries, Secretary Kissinger and President Sadat found an opening in the aftermath of the 1973 war to forge a new basis for the American-Egyptian relationship. Key American Cold war strategic objectives were achieved as President Sadat agreed, in return for the complete return of Sinai to Egyptian sovereignty not only to seek a lasting peace between his country and Israel, but also to detach Egypt from the Soviet orbit and put it formally in the U.S. camp. In return for U.S. financial, military and developmental assistance, Egypt would become a U.S. ally and successive U.S. administrations hoped that the country would lead the region away from the path of destruction and war introducing a new era of peace and cooperation.

Yet despite the attainment of key U.S. strategic objectives during the Cold war through the American-Egyptian alliance: from diminishing the Soviet Union’s role in the Middle East, Egypt’s commitment to its peace treaty with Israel, and a variety of security services it has provided the United States from participation in the Gulf War, cooperation in the war on terror and providing the United States with access to the Suez Canal and overflight rights through its airspace, the relationship

between the two countries has never been a smooth one. Egypt was always a problematic ally.

The historical record is long: President Mubarak lying during the Achille Lauro incident in 1985 and Egypt's attempt to smuggle missile components from the United States for its secret missile program during President Reagan's tenure; Egypt's flamboyant Foreign Minister, Amre Moussa, leading the charge against economic cooperation with Israel across the region for fear of Israeli economic dominance, and President Mubarak encouraging Yasser Arafat not to compromise during the Camp David Summit, during President Clinton's tenure; or Mubarak's refusal to reform that shaped his uneasy relationship with President George W. Bush. Throughout those three decades there were deep U.S. Egyptian disagreements over a variety of issues ranging from the peace process, U.S. policies in the region, democracy, and human rights. Moreover, despite continued U.S. economic and military assistance to Egypt, the Egyptian press continued to traffic in anti-American and anti-Semitic tirades.

And yet, these previous disagreements and frustrations pale in comparison with the tension, disappointment and mistrust that has shaped the previous decade in U.S. Egyptian relations. President Obama's decision to call for Mubarak to step down, the administration's pressure on the military leadership to hold elections swiftly, the decision to engage with the Muslim Brotherhood without pressuring it for concessions, continued U.S. assistance to human rights organizations in Egypt, the perceived closeness between the administration and the Muslim Brotherhood leadership, U.S. condemnation of the military coup, and threats to cut U.S. military aid, led to growing antagonism in Cairo. In turn Egypt has shown an unwillingness to cooperate on regional security challenges such as joining the fight against the Islamic State in Iraq and Syria, pursued an independent policy in Libya, deepened its military and economic ties to the Russian Federation, pursued a scorched earth strategy to wipe out the Islamic State's affiliate in Sinai, cracked down on all forms of dissent in the country stifling civil society and any independent media, engaged in egregious human rights abuses, continued to attempt to undercut U.S. resolutions in the United Nations, and most importantly engaged in an unprecedented wave of anti-American propaganda and conspiracy theories at home.

The American-Egyptian alliance is crumbling. As the Center for American Progress' Daniel Benaim eloquently put it: the U.S.-Egypt relationship "has been buffeted by upheaval, mired in mutual mistrust, and saddled with unmet expectations." For some in Washington, while unfortunate, an end to the alliance is

inevitable. Cold war rationale should no longer be a basis for a continued alliance with a problematic partner, and the two countries do not see eye to eye on many important issues. Moreover, Egypt's regional importance has vastly diminished. The Egypt of today is not the one with which Secretary Kissinger built a lasting partnership. Egypt has continued to decline on all levels, economically, culturally, and politically. Arab eyes and ears are no longer set on Cairo. Egypt is no longer the key player in the Middle East having been replaced by Iran and Turkey. Even among Arabic speaking countries, its historical role has been replaced by Saudi Arabia, the United Arab Emirates and Qatar. That regional decline did not start with President Mubarak but in fact was a reflection of its 1967 defeat following which Egypt accepted its diminished regional role and surrendered to Saudi Arabia in the Khartoum Summit in 1967.

As an external power, Egypt is a shadow of its former self, and there are well-founded doubts about its capacity to play a leading and constructive role even if it wanted to. Instead, Egypt itself has increasingly become a locus of the region's unfolding strategic competition and the unprecedented political and ideological crisis of the state-based order. Instead of being a regional player leading the region to peace, Egypt has now become a playing field where a variety of international, regional and local forces compete in an all-out war to shape the country's future trajectory. Egypt is no longer a contestant but instead is itself contested.

The regional decline is a reflection of deeper ills within Egypt itself. The inability of the country's leadership to reform the economy through market-oriented policies, combatting corruption, and addressing the dysfunctional bureaucracy has worsened the lives of millions of Egyptians. The slow collapse of state institutions has continued, undermining people's confidence in these institutions. The failure to develop a sustainable governance compact and failure to address its citizens' grievances through democratic means has eroded the country's social compact. Decades of discrimination against the country's native Christian population has torn apart the fabric of the Egyptian nation. And the government's failure to reform its internal security forces and the military, has diminished Egypt's ability to confront terrorist threats.

Despite these changes, U.S. policy has not adjusted to the changing conditions. The United States continues to base its policies on an Egypt that no longer exists. This has to change. As Egypt continues to face severe challenges on various security, economic, and political fronts, the United States needs to adjust its policies towards the country to face those challenges. Renewing a strong American Egyptian alliance that can deal with the challenges of the 21st Century—not only

the ongoing implosion of order in the Middle East, but the worsening crisis in Egypt itself, is the key challenge today.

U.S. interests in Egypt cannot be limited to maintaining the peace treaty with Israel, which Egypt's national interest itself dictates its continuation, securing free passage through the Suez Canal and flights for U.S. military aircraft in its skies. Instead U.S. strategy should be adjusted to help Egypt face its current challenges and overcome them. A state collapse in Egypt would pose a grave threat to the United States-led order in the Middle East, open the doors for an Islamic State emirate in the country, threaten Israel's security, and likely result in an unprecedented wave of immigrants knocking on Europe's doors. Averting such a scenario should be the priority of U.S. policy towards Egypt.

The case for continued American engagement with Egypt and investment in a robust U.S.-Egyptian alliance remains, although it must not be based on outdated understandings. Despite Egypt's declining regional position and influence, the country still matters. The regional order of nation-states is faltering, the result of decades of neglect, a deepening crisis of governance, an unprecedented ideological convulsion, and intensifying strategic-sectarian rivalries. Egypt, where the Middle East's first nation-state model emerged a century ago, will be key if the Middle Eastern order of nation-states is to survive and rejuvenate itself in the twenty-first century. In the absence of a serious U.S. strategy for Egypt, the two countries will continue to drift apart, and Egypt's decline will likely accelerate, leaving the nation more vulnerable to the forces of regional disorder and chaos.

Egypt's Challenges:

Terrorism in Sinai:

Egypt is today in its sixth year of war against terrorism in Sinai. Despite continued military campaigns against the Islamic State's affiliate in the Peninsula, and deepening security cooperation with Israel which has provided important intelligence, Egypt has failed to end the terrorist threat. The Islamic State in Sinai has carried spectacular attacks both in Sinai where it has continued to target security and military positions and personal, and in mainland Egypt where it has carried out numerous attacks on military positions and bombings and shootings of Coptic Christians that have left over a hundred dead.

Despite the continued failure to end the terrorist threat, there have been increasingly positive signs in the past few months. The latest military operation

launched in February following the massacre of more than three hundred worshipers at a local mosque, has managed to significantly disrupt IS communications and diminish the group's ability to carry out large scale attacks. During the past few months, despite a serious attempt at the lives of the Defense and Interior ministers, there has been a noticeable drop in daily attacks. Moreover, the Islamic State's increasing adoption of indiscriminate targeting of civilians has alienated the local population. Despite these successes, the potential for a regrouping by the Islamic State remains high. The group has managed to outlive previous military campaigns and still has a solid number of dedicated fighters and sophisticated weaponry.

Libya:

The continued civil war in Libya remains a serious security threat to Egypt. Significant attacks in Egypt's Western Desert bordering Libya by both the Islamic State and Al Qaeda's Murabitun, have left over one hundred security personnel dead. Libya serves as both a launching site for attacks, a training ground for terrorists and a source of weapons. The challenge from Libya is especially critical given the military's unfamiliarity with the terrain and the absence of a capable partner on the other side of the border similar to the role Israel plays in aiding Egypt's operations in Sinai.

Egypt has pursued a minimalist policy in Libya. While it has continued to support General Haftar, Egypt's strategy is not driven by a desire to stabilize Libya. The country's leadership recognizes the inability of Egypt to achieve such a result and continues to hope for a Western led effort to stabilize its neighbor. Instead the best Egypt can hope for is for the Libyan menace to be played away from the Egyptian borders. As long as General Haftar controls the border areas and thus stops attacks on Egypt, the Egyptian regime is content with the current situation in its neighboring country.

The Muslim Brotherhood:

Following the overthrow of the Muslim Brotherhood President, Mohamed Morsi, in 2013, the Egyptian regime has been engaged in a continued battle with the group.

Despite the Muslim Brotherhood's claims that it maintains a non-violent approach, it is undisputed today that a significant portion of the movement has turned to violence with the early blessing of some of the Brotherhood's leadership. What

began as organized protection of Brotherhood demonstrators in late 2013 has morphed into aggressive violence directed at the state. This radicalization process has been abetted by the new amalgam of various Islamist organizations and tendencies that formed in reaction to the 2013 massacre at Rab'a and the Brotherhood's own ideological weakness, which permitted other Islamists to fill the vacuum of ideas with revolutionary Salafist ones.

The first wave of violence by Muslim Brotherhood members was in the form of both widespread violence across the country in August 2013 that targeted Churches and police stations and through organized units that were created to protect Brotherhood demonstrations and which quickly began to engage in low level violence. By the early months of 2014, these actions quickly fizzled as Muslim Brotherhood popular mobilization and demonstrations lost steam.

By September 2014, the second wave of violence began with the emergence of two groups named Popular Resistance and Revolutionary Punishment. These groups were formed from Muslim Brotherhood members and organized, financed and supported by some elements within the group's leadership especially former Guidance Bureau member Mohamed Kamal, who was killed in October 2016 by security forces. During the second wave, these groups were engaged in violence both in the form of attacks on the country's infrastructure especially the electricity grid, and attacks on multinational companies operating in Egypt, as well as targeted attacks against security officials believed to have played a role in the Rab'a massacre. The most successful operation was the assassination of Hesham Barakat, Egypt's Prosecutor General in June 2015 by a group of former Muslim Brotherhood members. By early 2016 the second wave of violence lost steam following a heavy crackdown by security forces that proved successful in dismantling their cells.

The third wave of violence began in July 2016 with the announcement of the establishment of Hasm followed a month later by Liwa Al Thawra. These two groups have carried more sophisticated attacks than their predecessors including attacks on police checkpoints and assassinations of Judges and officers. The two groups have been designated as terrorist groups by the United States in January 2018. In recent months, successful security operations have dismantled their cells leading to decreased attacks.

As a result of the regime's crackdown, internal fights over strategy, and the Brotherhood's failure to develop a coherent strategy to defeat the regime, the Muslim Brotherhood has split into competing factions. One of these factions has

embraced violence both on political grounds as well as through developing a theological grounding for violence. The Muslim Brotherhood maintains a number of TV channels in Turkey that have engaged in open calls for violence and justification for these attacks as well as continued incitement against the regime and Coptic Christians.

The Political Landscape

During the past five years, Egypt has witnessed an unprecedented attack on free expression and civil society. The regime's crackdown was not limited to Islamists but has targeted activists and politicians from all backgrounds and ideologies. The aim of the crackdown is the complete closing of public space in the country. The regime's actions have been driven by a firm belief that Egypt is facing a conspiracy that aims to destabilize the country through internal forces including civil society groups and the media. The regime believes that President Mubarak's greatest mistake has been his surrender to American pressure to open the country in his last decade of rule.

As such the regime has sought and succeeded in taking control of the media and closing all outlets for free expression and opposition. The regime has also removed legal and procedural constraints on security agencies, giving them virtually free rein to protect the country from internal threats as they see fit. This new approach reverses policies that Presidents Sadat and Mubarak had both promulgated. While neither were democrats, both understood the need to maintain a half-open society to alleviate pressure on the regime, while also upholding clear redlines and a legal framework for state oppression. The result has been flagrant human rights abuses and growing public fear.

The recent Presidential elections were the culmination of these efforts. The Egyptian regime has barred any significant candidate from competing in these elections against President Sisi and has arrested or intimidated those who dared challenge him. The Egyptian parliament, while including a small number of independent members has become a rubberstamp body with little room for serious debate of legislation. Local elections have in turn been continuously delayed.

In the absence of any organized political body to express citizen concerns in the country, President Sisi has turned to the military as the base of his regime. The military today enjoys unrivaled and virtually uncontested power. Yet the past four years have also brought numerous challenges and placed novel demands on an institution that is not equipped to govern a country of ninety-four million. The

military's heavy involvement in political and economic affairs has compromised its reputation as an impartial actor defending the nation's interests.

Despite prioritizing the rebuilding of state institutions, the decay of state institutions continues apace, leaving the country's leaders with few mechanisms to confront growing challenges, including a rolling economic and sectarian crisis. On its current path, Egypt, a country of ninety-four million, is at growing risk of becoming a failed state.

The Sectarian Crisis:

Egypt is a torn country - its social fabric in tatters. There is no reason to think of Egypt today as above the disarray and state collapse that we have witnessed elsewhere all across the region. Such assumptions have long held sway as Egypt's image of a modern country above the sectarian and ethnic divides of its surroundings have been taken for granted. In reality, Egyptian nationalism was never as solid as imagined, its social fabric never as strong as portrayed, and its divides much deeper than acknowledged. At every level, Egypt is today a torn country; between the Brotherhood and its enemies, between Islamists and non-Islamists, and between Copts and Muslims. No resolution appears in sight for the divisions.

Persecution and discrimination against the country's native Christian population, Copts, continues to be one of the most important challenges facing the country. While President Sisi has publicly spoken about viewing all Egyptians as equal, and took some public gestures towards Copts, discriminatory policies remain in place. A long-promised Church building law was passed in December 2016, albeit with significant restrictions on church construction. Furthermore, the government committee tasked with legalizing pre-existing churches that lack government recognition has been extremely slow in the process recognizing less than five percent of the 3730 applications submitted to them. Furthermore, Christians continue to be systematically excluded from important government positions. The current Egyptian government has only one Christian minister, while there are no Copts serving as provincial governors. Similar discrimination is practiced among university presidents, school deans, the military, judiciary, the foreign service with Christians completely excluded from serving in the country's state security and intelligence services. The Egyptian government also continues to uphold discriminatory regulations such as blasphemy laws, which are almost exclusively used to target Copts and other religious minorities; inheritance laws, which force Copts to divide inheritance according to sharia; and prohibiting adoption.

Most significantly, the Egyptian government has failed to stop attacks on Copts and has repeatedly refused to punish the attackers. In the past five years there have been over five hundred sectarian attacks on Copts. Most of these attacks are in the form of mob attacks in villages driven by attempts to deny Copts from building a Church or as punishment for perceived insults by the community. In every single one of those attacks the government has forced both communities to attend reconciliation sessions, which force majoritarian demands on the Copts without holding the attackers accountable. This has created a culture of impunity and encouragement that has led to a dramatic increase in the number of attacks on Copts in recent years.

Ethiopia

No issue occupies Egypt today more than the Ethiopian question. Ethiopia, long viewed from Cairo as a backward country is modernizing and, more importantly, is witnessing a demographic explosion, having surpassed Egypt in population. With the demographic pressure comes the need for water and electricity, both tied to the river. The agreement governing the river had been arranged by the British, and they favored Egypt for its cotton industry supplying the mills of Lancashire. Ethiopia, however, will no longer accept the injustice.

The dam being built in Ethiopia presents a threat to Egypt's national interest and survival, and repeated attempts to reach an accommodation between both countries have continued to falter. While the dam has not been completed yet, the Egyptian government has already taken steps to adjust to the possibility of diminished water resources as it prepares for alternatives. While a military conflict between both countries is not inevitable, it remains possible.

Economic

The Egyptian economy faces a multitude of structural problems, including an unsustainable system of subsidies inherited from the Nasser era, which successive governments have failed to control; a large and expanding bureaucracy of seven million whose salaries are a huge and unsustainable burden on a state budget already stretched thin; the overall low productivity of workers, a consequence of poor education and lack of serious technical training; an over-dependence on volatile sources of revenue such as the Suez Canal, tourism, and remittances by Egyptians abroad; a massive informal economy that the government fails to regulate and also fails to derive tax revenues from; an unwelcoming business and

legal environment that discourages investment; and a weak banking system with limited penetration and minimal financial capacity to empower ordinary people and start-ups, aside from loans to big businesses and government bonds.

Egypt's overall economic trajectory has further worsened because of non-economic factors in the past few years. The deteriorating security situation and a legal framework that allows courts to cancel economic decisions have both discouraged economic reform and investment. Further, the tourism sector has failed to rebound since 2011, while the downing of a Russian airplane and a botched military operation in Sinai that killed Mexican tourists have also hurt the industry.

While the Egyptian government had taken in its first years some steps to adjust the budget imbalance through targeting the fuel subsidies, it has for a long time ignored the need for a coherent economic strategy and refused to allow the free floating of the Egyptian pound, wasting the country's foreign currency reserves. More drastically the government has been engaged in mega projects such as the New Suez Canal, a 1.5-millionacre reclamation project that has little chance of becoming viable, and an equally far-fetched new capital complex, both of which have cost the country billions of badly needed dollars.

In November 2016, the government was forced by its deep economic troubles and pressure from the International Monetary Fund to devalue the Egyptian currency. Despite massive inflation that have eroded the middle class' savings, the move has significantly improved Egypt's economic condition. Further increases in the prices of fuel, electricity and water have further helped the government in stabilizing the economy and avoiding worse scenarios. Despite these welcome steps, Egypt remains dependent on cash infusions from foreign powers. With a population of ninety-four million, Egypt is today too big to save with foreign aid alone. A serious plan to address the country's structural economic problems and stimulate growth is necessary.

Recommendations for U.S. Policy:

Despite deep disagreements between both countries, Egypt cannot be simply ignored by the United States. Abandonment is not a strategy nor will imaginary solutions of cutting U.S. aid result in Egypt's transformation into a liberal democracy. Instead the United States needs sustained engagement with Egyptian officials if the alliance is to be salvaged.

Any new American effort to restore the alliance requires clarity about Egypt's rapidly deteriorating conditions and help for the country to deal with it. As such, a new U.S. strategy towards Egypt is required that is based on the Egypt of reality and not of imagination and that focuses on the country's internal challenges and not on Egypt's regional role.

The U.S. should insist that for a healthy bilateral relationship, President Sisi must publicly repudiate the anti-American conspiracy theories rampant in the country. It is important for Cairo to make the case that the alliance with the United States is important to the Egyptian people and to repudiate conspiracy theories—especially those propagated by the Sisi regime itself—that claim there is American ill will toward Egypt.

The U.S. should penalize Egyptians who deliberately create and propagate anti-American conspiracy theories. For example, Washington could make perpetrators ineligible to participate in American-Egyptian exchange programs, receive funding from the U.S. government, or receive visas to visit the U.S.

One core focus of U.S. diplomacy in Egypt needs to be contesting the spread of anti-Americanism and conspiracy theories that have undermined political support in Egypt for the alliance. U.S. public diplomacy programs should also make debunking false information a top priority by reaching out directly to the Egyptian people through social media or short online videos and through the U.S. media in Arabic. The deepening mistrust between Cairo and Washington presents a major obstacle to any real cooperation. The weakness of the American-Egyptian alliance largely stems from Washington's failure to cultivate a dependable constituency in Egypt with shared interests and principles. This may be the biggest failure of U.S. diplomacy in Egypt.

The ongoing conflict between Egypt and Ethiopia over water supplies, provides the United States with an opportunity at mediation. Success in avoiding military conflict between the two countries and in reaching an agreement acceptable to both sides can play an important role in strengthening the U.S. Egyptian alliance and winning the hearts and minds of Egyptians.

The U.S. needs to rethink and expand its longstanding educational mission in Egypt to address the country's educational deficit and decaying state institutions. In addition to working with Egyptian partners to expand opportunities in each governorate, the U.S. should support Egyptian efforts to reform the educational curriculum through a cross-disciplinary approach that instills civic republican

principles. This is essential for winning the struggle of ideas with Islamism, establishing civic peace, and fostering progress.

To help Egypt create a civil economy, the United States should expand its economic mission to engage a wider spectrum of businesses and sectors, including small business associations and new organizations focusing on encouraging entrepreneurship.

The United States should devote special attention to bureaucratic reforms and to expanding the banking system, which has an extremely low participation rate. These are major hurdles for small businesses and for developing entrepreneurship. In its economic and development aid to Egypt, the United States should develop a local approach that rewards governorates and municipalities based on metrics related to good governance and equal opportunities for all citizens.

American military aid to Egypt should focus on improving Egypt's capacity to conduct complex political-military operations at home and along its periphery. In addition, the United States should reexamine its military education and exchange programs with Egyptian officers. While some military training initiatives target lower-ranking officers, the important and coveted strategic studies programs engage only top commanders. Expanding programs for the lower ranks on counterinsurgency, civilian security, and intelligence practices based on rule-of-law principles should be a top priority.

The United States should examine organizational and economic ties between designated terrorist groups Hasm and Liwa Al Thawra and the Muslim Brotherhood. Leaders and members of the Muslim Brotherhood with ties to these groups should be designated as terrorists.

The United States should encourage the government of Turkey to examine the content of Muslim Brotherhood TV channels engaged in incitement and support for terrorist attacks in Egypt. It should further encourage the government of Turkey to examine ties between individuals residing in Turkey and terrorist activities in Egypt.

The United States needs to engage the Egyptian diaspora in the United States and in other Western countries as part of its efforts to help Egypt. Working with the diaspora, the United States can develop numerous educational, economic, and developmental programs to implement in Egypt. The model of private-public partnership should be utilized in creating educational initiatives and

entrepreneurship opportunities in Egypt. The Egyptian diaspora in the West has developed civic values, including hard work and personal social responsibility, and avenues can and should be opened for these experiences and values to be transferred back to Egypt. Just as the United States invites thousands of Egyptians to come to America on exchange programs, it should conduct reverse programs through which Egyptian-Americans bring their experiences back home.

Thank you again for holding and chairing this hearing and I look forwards to your questions.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Tadros. Did I get it? All right.

Dr. Dunne. Nate corrected me.

STATEMENT OF MICHELE DUNNE, PH.D., DIRECTOR AND SENIOR FELLOW, MIDDLE EAST PROGRAM, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Ms. DUNNE. Chairman Ros Lehtinen, Ranking Member Deutch, and members of the subcommittee, thank you for inviting me to testify.

I am going to focus in my brief remarks here on developments in Egypt's political scene that have implications for the country's stability as well as for U.S. interests.

With your permission, I've submitted a slightly longer written statement.

Ms. ROS-LEHTINEN. Without objection.

Ms. DUNNE. During the first half of 2018, President Abdel Fattah el-Sisi eliminated five Presidential challengers, four of them senior and well-known figures, through arrest or intimidation.

Sisi was then reelected after running against a virtual unknown. One of the would-be candidates, former army chief of staff Sami Anan, suffered a stroke in prison and is now in critical condition.

There has been also a recent wave of arrests of those who have criticized Sisi publicly. Again, some of these are quite well-known people.

Abdel Moneim Aboul Fotouh, the founder of the Strong Egypt Party, himself a previous Presidential candidate, blogger Wael Abbas, youth activist Shady al-Ghazaly Harb, human rights defender Amal Fathy, as well as others.

They've joined tens of thousands of other political prisoners who have been detained for months, in some cases years, and often in harsh conditions, including prolonged solitary confinement and denial of adequate medical care in addition to the even harsher measures that Mr. Genser discussed—torture and so forth.

So why all these arrests now? Well, they come amid signs that President Sisi might try to stay in office beyond the end of his second term. The 2014 Egyptian constitution, which was written after the 2013 military coup but before Sisi became President, stipulated that the President is limited to two 4-year terms and, of course, the writers of the constitution wrote that because President Mubarak stayed in office for 30 years.

During his first term, Sisi promised that he would leave office after 8 years. But he has not repeated that pledge either during his reelection campaign or since, beginning his second term.

His supporters are now saying that 8 years are not enough and it's widely reported that amendments to the constitution will be introduced into the Parliament to remove term limits and perhaps extend the Presidential term from four to 6 years as well as make other changes to strengthen Presidential powers.

President Sisi has also taken steps that appear designed to ensure the loyalty of senior military officers to him personally. He has recently replaced the ministers of defense and interior, the head of general intelligence, the army chief of staff, and the Parliament recently passed a law that would grant designated security

officers lifelong immunity for crimes committed following the 2013 coup—for example, the mass killings at Rabaa and other acts of violence.

This law gives the President the right to designate which senior officers would enjoy such immunity and thus will be a highly effective tool in the hands of President Sisi to ensure loyalty to him.

Now, why should the United States care if Sisi paves the way to remain President for life? First of all, if he succeeds, at best the lack of new blood in political leadership would bring back the stagnation, corruption, and lack of responsiveness to citizens, lack of accountability that led to the revolt against Mubarak but with much more brutal repression in the case of the Sisi regime.

That's a recipe for trouble in this nation of 100 million people and neighbor to Israel. And if Sisi tries to secure a lock on the presidency and he fails but there are no credible political processes to sort things out, then the country might well be headed for violent unrest before too long.

While the United States cannot and should not try to micro manage Egypt's politics, the U.S. Government and particularly the Congress can scrutinize engagement with Egypt and aid to Egypt to be sure that the United States is promoting stability for the entire nation rather than repression and one-man rule.

My specific recommendations include keep conditions on security assistance. They're working. The U.S. administration has become bolder in using the human rights conditions that Congress has written into legislation and has withheld assistance.

Based on some of the concerns that Mr. Genser articulated—the conviction of NGO workers in 2013, the draconian new NGO law that would crush civil society, and Egypt's dealing with North Korea.

These problems have not yet been resolved. There are signs, though, of greater responsiveness on the part of the Egyptian government since the suspension of aid.

So keep writing those conditions into legislation and encourage the administration to use them, which, of course, means not releasing aid until the benchmarks are met.

I would recommend a bottom-up review of security assistance to be right sized to make sure that it meets Egypt's actual defense needs rather than the military's desire for impressive weapons systems.

Insist on vigorous implementation of end use monitoring to ensure that equipment provided is not used for human rights abuses because, as we've already heard, it has been.

Consider shifting some assistance from security to address some of the urgent needs of the population such as modernization of the country's water infrastructure. It is headed for a water crisis.

Ultimately, it's for Egyptian citizens to decide the future they want for their country. But it's for American citizens and their representatives to decide how much faith we have in that vision and to what extent we are willing to support it.

Thank you very much.

[The prepared statement of Ms. Dunne follows:]



CARNEGIE
ENDOWMENT FOR
INTERNATIONAL PEACE

Congressional Testimony

**EGYPT: SECURITY, HUMAN RIGHTS,
AND REFORM**

Michele Dunne

Director and Senior Fellow

Middle East Program

Carnegie Endowment for International Peace

Testimony before U.S. House Subcommittee on
the Middle East and North Africa

July 24, 2018

Chairman Ros-Lehtinen, ranking member Deutch, and members of the Subcommittee, thank you for inviting me to testify. While Egypt is not in the headlines these days, there are important and worrying developments in security, economy, foreign policy, human rights, and politics—all of which have implications for the country's stability. In my testimony, I will focus on domestic politics.

With the beginning of President Abdel Fattah al-Sisi's second term, Egypt is undergoing a deepening of authoritarianism verging on totalitarianism. As you are aware, Egypt's rocky attempt at a democratic transition began in early 2011 and ended with a military coup in July 2013. During the first half of 2018, President Sisi eliminated, through imprisonment or intimidation, five presidential challengers (four of them his supporters previously) and was re-elected on March 29. Three of the would-be candidates were from the military. One is in prison, one under house arrest, and the third, former Army Chief of Staff Sami Anan, suffered a stroke in prison and is now in critical condition.

Anan's imprisonment was part of a new wave of repression against those who have criticized Sisi. Others arrested during the presidential race or shortly afterward included Strong Egypt Party founder Abdel Monem Aboul Fotouh, who was accused of terrorism after criticizing Sisi on satellite television and is now suffering dire health consequences due to prolonged solitary confinement under harsh conditions. The campaign has also extended to many young liberals including blogger Wael Abbas, youth activist Shady al-Ghazaly Harb, and human rights defender Amal Nathy. They have joined tens of thousands of other political prisoners, many detained for months or years without charge, or convicted in mass trials.

Recent efforts to eliminate potential rivals and silence independent voices come amid growing signs that Sisi might try to stay in office beyond the end of his second term in 2022. When the Egyptian constitution was rewritten after the 2013 coup, the drafters were still hoping to preserve some gains of the 2011 revolution including constraints on presidential power. The 2014 constitution stipulated that the president is limited to two four-year terms (unlike former President Hosni Mubarak, who served for 30 years). All amendments to the constitution must be approved by a popular referendum as well as parliament, but the drafters added a special provision that articles relating to the re-election of the president may not be amended.

The drafters of the 2014 constitution had reason to worry. During his first term Sisi promised that he would respect the constitution and leave office after a maximum of eight years, but he did not repeat that pledge during his recent campaign for re-election and his supporters have suggested publicly and in parliament that he should stay longer. Sources within the Egyptian parliament now say that there is a process underway to introduce amendments that would remove the provision saying that articles relating to the re-election of the president may not be amended, extend the presidential term from four to six years, and remove term limits, among other changes.

Now Sisi appears to be working on removing any opposition. Independent political parties formed since the 2011 revolution have been systematically undermined by security agencies, and there is now pressure on the 20 or so parties represented in parliament to coalesce into just two or three, all supporting Sisi.

There are also efforts to quell any opposition within the regime. Sisi has replaced many senior security officials—the ministers of defense and interior, army chief of staff, and director of intelligence—in recent months. The parliament also passed on July 16 a law that would grant designated senior

military officers lifelong immunity from prosecution for crimes committed in the years following the 2013 coup. The law gives the president the right to designate the officers enjoying such immunity, a highly effective tool to use in managing any dissent within the military.

Why should the United States, a long-term ally of Egypt that has given more than \$78 billion in assistance, care if Sisi paves the way to remaining president for life? Because if he succeeds, at best it will bring back the stagnation, corruption, and lack of responsiveness to citizens that led to the revolt against Mubarak—but with much more brutal repression. That is a recipe for trouble in this most populous country of the Middle East and neighbor to Israel, which is already fighting a terrorist insurgency in Sinai. And if Sisi tries to secure a lock on the presidency and fails, then the country—lacking any outlets for peaceful expression of opposition in politics, media, or civil society—might soon be headed for violent unrest. Far better for Sisi to allow the re-emergence of free politics and to leave office on time.

There is not much the United States can or should do directly about the internal political situation in Egypt. What the U.S. government, and particularly the Congress, can do is scrutinize engagement with and assistance to Egypt in order to ensure that they promote stability for the nation rather than one-man rule.

My specific recommendations include:

- **Keep conditionality: it's working.** The U.S. administration has become bolder over the past year in using the conditions Congress has legislated to send a clear message: security assistance will be withheld unless the Egyptian government addresses longstanding U.S. concerns including the 2013 conviction of workers for American NGOs, a draconian new NGO law that would crush civil society and impede future assistance, and ongoing dealings with North Korea. These problems have not yet been resolved, but there are positive signs since the suspension of aid. Stay the course. Keep writing conditions into legislation and keep encouraging the administration to use them with confidence.
- **Do a bottom-up review of security assistance and right-size it.** The U.S.-Egyptian security relationship has been on autopilot at \$1.3 billion annually for too long without a rigorous review of whether the size and composition of the assistance suits the Egyptian military's actual challenges. The Congress should also insist on vigorous implementation of end-use monitoring to ensure that equipment provided by U.S. taxpayers is not used to carry out human rights violations, which enflame radicalization and perpetuate terrorism.
- **Support the Egyptian people, not only the military.** Two of the crying needs of Egypt right now are 1) labor force development through education to address rampant youth unemployment and 2) modernization of water infrastructure, particularly in agriculture, to help mitigate an impending shortage. While an overall increase in U.S. assistance seems unlikely, the United States could shift funds from security to these categories.
- **Express support for democracy and rights.** Finally, U.S. officials and members of Congress can express their support, publicly and privately, for democratic procedures and human rights in Egypt. They can cite salutary provisions in the country's constitution such as term limits, and express hope that they will be upheld. Ultimately it is for Egyptian citizens to decide the future they want for their country, and for American citizens and their representatives to decide what support they are willing to provide to secure that future.

Thank you for this opportunity to testify.

Ms. ROS-LEHTINEN. Thank you, Dr. Dunne, very much.
Mr. Miller.

**STATEMENT OF MR. ANDREW MILLER, DEPUTY DIRECTOR
FOR POLICY, PROJECT ON MIDDLE EAST DEMOCRACY**

Mr. MILLER. Chairman Ros-Lehtinen, Ranking Member Deutch, distinguished members of the subcommittee, thank you for inviting me to testify.

With your permission, I will summarize my written testimony, which I've submitted for the record. I will describe three defining and concerning characteristics of Egypt under President Abdel Fattah el-Sisi.

Then I will offer two recommendations regarding security assistance that can help advance U.S. interests while right sizing the bilateral relationship.

The first key characteristic of Egypt today is that the country is no longer as important to U.S. interests as it once was. Due both to its own internal decline and the growing influence of wealthy Gulf states, Egypt has ceased to be a regional power.

Egypt still matters to the U.S. but more because we cannot afford the Arab world's most populous country becoming a basket case that generates refugee flows or terrorist threats abroad.

A second characteristic is how poorly Sisi's military-backed government is managing these problems. Dr. Dunne already addressed the dangers of Sisi's attempt to create a total autocracy in Egypt.

In the security arena too, Sisi has been unable to defeat ISIS Sinai and other terrorist groups. In fact, 2017 saw the most fatalities from terrorist attacks in modern Egyptian history—756—while the mass incarceration of peaceful citizens is worsening the radicalization problem.

On the economic front, Sisi has made some important fiscal reforms, but his policies have led to deteriorating living standards threatening the country's stability.

Third, Egypt is a very difficult partner for the United States. Despite the \$1.3 billion in FMF funds we provide each year, Sisi has continued to cooperate with North Korea and imprisoned U.S. citizens on trumped up charges.

Even where we share common interests, Egypt has often rejected cooperation. For example, Egypt has spurned U.S. offers to train its military in the modern counterterrorism tactics essential to defeating groups like ISIS.

It is becoming harder to argue that the U.S. is getting a good return on its investment in Egypt? What can the U.S. do to break out of this unsatisfactory cycle?

There are two steps that Congress could take that would advance the vital U.S. interests in Egypt's long-term stability while ensuring a better return on investment.

For Washington to send a clear message, U.S. military aid, which the Egyptian leadership values greatly, will have to be put on or off the table.

First, Congress, should keep human rights conditions on military assistance in the fiscal year 2019 appropriations bill. The Trump administration made use of this conditionality last August when it

suspended \$195 million in FMF funding in part over human rights concerns.

As a result, after years of stalling, Egypt finally arranged for a retrial in an infamous 2013 case in which 17 Americans received prison sentences on outrageous political charges.

Egypt also reportedly forced North Korea to reduce the size of its Embassy in Cairo, Pyongyang's largest in the region. While neither step merits releasing the \$195 million, they suggest that U.S. pressure is indeed having some effect.

In fiscal year 2019, Congress should continue such conditionally and seek an end to Sisi's crackdown on civil society, the release of political prisoners, and access for U.S. military officials to the Sinai for end use monitoring.

These steps would both open up the political space that is so important to Egypt's long-term stability and show that Sisi is willing to address legitimate U.S. concerns.

My second recommendation is that Congress should reduce annual military assistance to \$1 billion as proposed in the Senate appropriations committee markup.

Egypt views military aid as an entitlement and expects that the U.S. will ultimately back down from any threat or attempt to use it as leverage. This perception undermines U.S. influence.

Consequently, reducing Egypt's military aid would send an unmistakable signal that we expect more in return for our support. The risks of imposing human rights conditionality and reducing military aid are often exaggerated.

The Israeli-Egyptian peace treaty is no longer dependent on U.S. aid or mediation. Egypt will not abandon the U.S. in favor of Russia or China and cutting this aid will not degrade the capabilities of an Egyptian military that needs better training, not more weapons.

If these steps are taken, the U.S. will be in a stronger position to persuade Sisi's government to open up political space, reform Egypt's military doctrine, and address radicalization.

At the very least, cutting Egypt's military aid will be a service to the American taxpayer who has seen little return on their investment in the present Egyptian government.

In closing, the U.S.-Egyptian relationship is no longer working. I hope Congress will take this chance to recalibrate it for a new era.

Thank you. I look forward to your questions.

[The prepared statement of Mr. Miller follows:]



Congressional Testimony

House Foreign Affairs Committee
Middle East and North Africa Subcommittee Hearing

EGYPT: SECURITY, HUMAN RIGHTS, AND REFORM

Testimony of
Andrew Miller
Deputy Director for Policy
Project on Middle East Democracy

Tuesday, July 24, 2018

Chairman Ros-Lehtinen, Ranking Member Deutch, and distinguished Members of the Subcommittee, allow me to thank you for inviting me to testify on this important topic. I am going to present what I view as the three key—and concerning—characteristics of Egypt under President Abdel-Fattah al-Sisi, and explain their implications for U.S. interests. In closing, I will offer two recommendations for how Congress can help to advance vital U.S. interests in Egypt while rightsizing the bilateral relationship.

The first key characteristic of today's Egypt is that the country is no longer as important to U.S. interests as it once was. President al-Sisi has been unable to reverse years of internal state decay and, with the increasing assertiveness of wealthy Gulf states, Egypt has ceased to be a regional power in the Middle East. The Egyptian government currently possesses neither the wealth, the military power, nor the administrative efficiency to shape events and outcomes elsewhere in the region, with the exceptions of Libya and Gaza. Even the country's soft power across the region has dissipated.

The days when the United States could rely upon Egypt to serve as an anchor for U.S. interests in the region are long gone. Egypt is not the key to resolving the crisis in Syria, is not at the forefront of efforts to roll back Iranian influence in the Middle East, and lacks the expeditionary capability to deploy outside of its borders in support of the United States.¹ While Egypt has influence over the economic situation in Gaza due to its control of the border, it has scant influence in the West Bank, and is in no position to deliver the Palestinians to a peace agreement with Israel.²

However, Egypt still matters to the United States, albeit for different reasons than before. Despite its diminished regional importance, Egypt's ongoing internal deterioration could have serious implications for U.S. interests. While outright state failure does not appear imminent, prolonged instability in Egypt could lead to both new refugee flows from this country of 100 million people or facilitate the rise of terrorist groups with transnational reach. Egypt's stability, defined not as a ruling regime imposing control through repression but as a society that does not create security risks beyond its borders, is thus of paramount concern to the United States.

Unfortunately, and this is the second key characteristic of today's Egypt, al-Sisi's military-backed government is doing poorly at managing the country's internal challenges. Repression is reaching alarming levels as al-Sisi takes steps that are more characteristic of totalitarian than authoritarian regimes. Since March's presidential election, al-Sisi has escalated his campaign of arrests against his political opponents in an apparent attempt to consolidate and extend his rule. Just in the past several weeks, there has been a new spate of arrests targeting people like Amal Fathy, a democracy activist who was detained after publicly speaking out against sexual harassment.³ With as many as 60,000 political prisoners already in Egyptian jails, the detention of peaceful political activists shows no signs of abating.⁴ In contrast to previous authoritarian regimes in Egypt, which allowed some space for civil society to operate, al-Sisi seems determined to snuff out all room for activity independent of the

1. "The Egyptian Military: Fighting Enemies Domestic, Not Foreign," Stratfor, November 15, 2014, <https://worldviewstratfor.com/article/egyptian-military-fighting-enemies-domestic-not-foreign>.

2. Ilan Goldenberg, "Trump's 'Outside-In' Approach to Israel-Palestine Won't Work Right Now," *Foreign Policy*, February 13, 2017, <https://foreignpolicy.com/2017/02/13/trumps-outside-in-approach-to-israeli-palestinian-peace-making-wont-work-right-now-peace-conflict-two-state-solution/>.

3. "Fact Sheet – Egypt's 'Totalitarian Turn: Al-Sisi's Crackdown Deepens," Protect on Middle East Democracy (POMED), May 25, 2018, <https://pomed.org/fact-sheet-egypts-totalitarian-turn/>.

4. "Egypt: Torture Epidemic May Be Crime Against Humanity," Human Rights Watch, September 6, 2017, <https://www.hrw.org/news/2017/09/06/egypt-torture-epidemic-may-be-crime-against-humanity>.

state. And, while some authoritarian regimes have proven durable, totalitarian ones are seldom stable, tending to collapse in ways that are deeply dangerous for their neighbors.

The security situation in Egypt also remains worrisome. Over four years after his first election, and despite extraordinarily repressive measures, President al-Sisi is still yet to neutralize the threat posed by terrorist groups like the Islamic State of Iraq and Syria (ISIS)'s Sinai-based affiliate, which is believed to be responsible for the downing of a Russian airliner and the bombing of churches, among many other attacks. New groups, such as the U.S.-designated foreign terrorist organization (FTO) HASM, have also emerged to conduct lower-level attacks in the Egyptian mainland.⁵ Attesting to the Egyptian government's lack of progress on counterterrorism, 2017 set the record for the most deaths in terrorist attacks (756) in modern Egyptian history.⁶ Furthermore, we have seen no concrete evidence that the Egyptian military's much-hyped "Sinai 2018" campaign has extinguished the ISIS threat in the Sinai. To the contrary, Human Rights Watch reports that an additional 3,000 homes were destroyed during the operation, fueling resentment toward the government and impairing the type of cooperation between the state and the public that is the hallmark of successful counterterrorism campaigns.⁷

President al-Sisi's government has received kudos for its economic performance, but even here the picture below the surface is deeply troubling. In return for a \$12 billion loan from the International Monetary Fund (IMF), al-Sisi undertook a number of structural adjustments that have helped to stabilize Egypt's macroeconomic situation. Foreign currency reserves have recovered after reaching dangerously low levels and the economy is expected to grow by 5.2 percent in 2018.⁸ But just as Mubarak's once-vaunted economic reforms masked deeper problems and public discontent that ultimately led to the 2011 uprising, conditions in the real economy in which Egyptians live are getting harder. Indeed, al-Sisi's government has neglected the impact of economic reforms on the Egyptian people, whose living standards have declined sharply. The poverty rate in Egypt has jumped from 27.8 percent in 2016 to an estimated 35 percent in 2017, partly due to IMF-mandated subsidy cuts on which the poorest Egyptians depended.⁹ The government, moreover, has no clear plan to create the 700,000 to 1,000,000 jobs per year necessary to prevent the unemployment rate from increasing further.¹⁰ Even middle class Egyptians are struggling badly, as the combined effects of inflation—14.4 percent as of June—and devaluation have gutted their spending power.¹¹ The growing role of the military in the economy has made it even more difficult for the average Egyptian to reap the benefits of al-Sisi's reforms, and al-Sisi's financing of wasteful "megaprojects" through massive borrowing has turned public debt, which is currently 107 percent of GDP, into a ticking time bomb.

5. "Secretary Tillerson Designates HASM & Liwa Al-Ihawra as Specially Designated Global Terrorists," U.S. Embassy & Consulate in Egypt, January 31, 2018, <https://eg.usembassy.gov/secretary-tillerson-designates-hasm-liwa-al-ihawra-specially-designated-global-terrorists/>.

6. The Taher Institute for Middle East Policy (TIMEP), Twitter Post, January 4, 2018, 1:33 PM, <https://twitter.com/TimepDC/status/948970543293020224>.

7. "Egypt: Army Intensifies Sinai Home Demolitions," Human Rights Watch, May 22, 2018, <https://www.hrw.org/news/2018/05/22/egypt-army-intensifies-sinai-home-demolitions>.

8. Farah Tawfeek, "IMF Continues to Praise Egypt's Economic Reforms in Its Third Review," Egypt Independent, July 13, 2018, <http://www.egyptindependent.com/imf-continues-praise-egypts-economic-reforms-third-review/>.

9. "Egypt's Poverty Line to Increase to LE 800 Monthly Per Person," Egypt Today, July 23, 2017, <https://www.egypttoday.com/Article/3/13326/Egypt-s-poverty-line-to-increase-to-LE-800-monthly>.

10. Aya Butrawy, "IMF: Mideast Not Growing Fast Enough to Reduce Unemployment," Associated Press, May 02, 2018, <https://www.wapnews.com/1/d4e57c18d6f33da041a684c22877df>.

11. Tarek El-Tablawy, "Egypt Inflation Rate Accelerates for First Time in 11 Months," Bloomberg, July 10, 2018, <https://www.bloomberg.com/news/articles/2018-07-10/egypt-inflation-rate-accelerates-for-first-time-in-11-months>.

It is thus not surprising that Egypt has averaged more than one protest per day—252 in total—in the first half of 2018, most of them over economic discontent.¹² Another looming threat on the horizon is Egypt's water supply, a problem that successive Egyptian governments have badly mismanaged. Simply put, Egypt already does not have enough water for its population, and experts have estimated that, once operational, the Grand Ethiopian Renaissance Dam could temporarily reduce Egypt's water supply by as much as a further 25 percent.¹³ Given Egypt's dependence on water for agriculture and electricity generation, and its growing population, such a development could prove crippling for a weak economy. While it may be too late to reach an agreement with Ethiopia that would mitigate the dam's impact on Egypt, al-Sisi's government has largely failed to regulate highly water-intensive agricultural and construction practices that could insulate Egypt from the worst effects of the dam.

The third characteristic of today's Egypt is that it is an extremely difficult partner for the United States. The Cold War consensus that held together the U.S.-Egyptian relationship no longer holds, and Egyptian interests often diverge from those of the United States. For example, Egypt has continued its political, economic, and military cooperation with North Korea, helping Pyongyang to acquire badly needed foreign currency, at the precise time the Trump administration has sought to apply maximum pressure on King Jong Un's regime.¹⁴ Egypt is also determined to build a closer relationship with Russia, regardless of how the United States treats Egypt. And, at the United Nations Security Council, Egypt has opposed U.S. positions on Syria and Israel.

Even where the United States and Egypt share common interests, Egypt has often rejected U.S. cooperation and assistance. Counterterrorism (CT) is a case in point. While Egypt has gladly accepted U.S. military equipment funded by American taxpayer money, it has largely spurned other forms of support that are arguably more important to its CT success, including training and advice.¹⁵ This is particularly detrimental to CT in Egypt, as the Egyptian military's struggles against the ISIS affiliate in the Sinai appear to be a function of poor doctrine and tactics rather than equipment shortfalls. Moreover, al-Sisi's government has ignored U.S. concerns that its political repression and mass incarceration of peaceful actors is fueling radicalization trends in the country, in effect creating new terrorists.¹⁶ As one former prisoner noted, "In the beginning [2013], no one had even heard of Daesh, but by the time I left, maybe 20 percent were openly supporting their ideas... after all those years of being in jail with no explanation, many wanted revenge."¹⁷ Yet, repeated U.S. warnings that Egypt needs to take prison radicalization seriously have fallen on deaf ears.

Egypt's declining utility to the United States as a partner is all the more striking given how much money the United States has invested in Egypt. In recent years, the U.S. government has continued

12. "The Democratic Path in Egypt During the 1st Quarter of 2018," Arab Network for Human Rights Information (ANHRI), April 17, 2018;

"The Democratic Path in Egypt During the 2nd Quarter of 2018," Arab Network for Human Rights Information (ANHRI), July 10, 2018.

13. Jean-Daniel Stanley and Pablo L. Clemente, "Increased Land Subsidence and Sea-level Rise Are Submerging Egypt's Nile Delta Coastal Margin," *GSA Today* 27, no. 5 (2017): 4-11.

14. Daniel Leone, "Egypt's North Korea Connection," Project on Middle East Democracy (POMED), August 10, 2017, <https://pomed.org/egypt-north-korea-connection/>; Declan Walsh, "Need a North Korean Missile? Call the Cairo Embassy," *The New York Times*, March 03, 2018, <https://www.nytimes.com/2018/03/03/world/middleeast/egypt-north-korea-sanctions-trms-dealing.html>.

15. Declan Walsh and David D. Kirkpatrick, "In Egypt, Furious Retaliation but Failing Strategy in Sinai," *New York Times*, November 25, 2017, <https://www.nytimes.com/2017/11/25/world/middleeast/egypt-sinai-mosque-attack-sufi.html>.

16. Jay Solomon, "John Kerry Urges Egypt to Move Forward With Political Reform," *Wall Street Journal*, August 2, 2015, <https://www.wsj.com/articles/john-kerry-urges-egypt-to-move-forward-with-political-reform-1438524781>.

17. "Freed Irishman Says Egypt's Jails Are ISIS Breeding Grounds," CBS News, December 12, 2017, <https://www.cbsnews.com/news/egypt-prisons-isis-breeding-grounds-irish-iraqim-halawa-jailed-no-reason/>.

to provide Egypt with an annual \$1.3 billion in military assistance, which in Fiscal Year (FY) 2018 accounted for 21 percent of all U.S. Foreign Military Financing (FMF) funds globally, making the country the second largest recipient of FMF worldwide.¹⁸ And this is on top of the \$47 billion in military assistance and \$24 billion in economic aid that the United States has given to Egypt over the last forty years.

As a whole, it is becoming increasingly difficult to argue that the United States is getting a good return on its investment in Egypt. Egypt has lost regional influence, but the United States continues to provide al-Sisi's government with the second largest FMF package in the world. Egypt is moving in the wrong direction, endangering key U.S. interests in human rights and counterterrorism, while rejecting U.S. advice on how to turn around this negative trajectory. What can the United States do to break out of this unsatisfactory cycle?

There are two steps that Congress could take that would both advance vital U.S. interests and ensure that the U.S. investment in Egypt is proportional to its return. Both concern U.S. military assistance to Egypt, which is no coincidence. The Egyptian government values U.S. military assistance above all else. If the U.S. government is to get through to al-Sisi's government, U.S. aid will have to be put on (or off) the table.

First, Congress should retain human rights conditions on Egypt's military assistance package in the FY19 State and Foreign Operations appropriations bill. The Trump administration made use of this conditionality last August when it suspended \$195 million in FMF funding for Egypt.¹⁹ As a result of this pressure, the Egyptian government finally arranged for a retrial in the infamous foreign funding case, in which 43 employees of U.S. and German-based NGOs, including 17 Americans, received prison sentences on politicized charges in 2013.²⁰ Egypt also reportedly forced North Korea to reduce the staff level of its embassy in Cairo, Pyongyang's largest mission in the region.²¹ While neither step is sufficient to justify the release of the \$195 million, they indicate that U.S. pressure is having some effect. In FY19, Congress should condition a portion of military assistance to Egypt on progress in several important areas, including a cessation of the investigation and arrest of activists and democracy-promotion organizations, the release of political prisoners, and granting U.S. military officials access to the Sinai to perform end-use monitoring of U.S.-made military equipment.

Second, Congress should reduce military assistance to Egypt from \$1.3 billion to \$1 billion in the FY19 appropriations bill, as proposed in the Senate Appropriations Committee's markup. As things currently stand, Egypt both views U.S. military support as an entitlement and believes itself to be more important to the United States than vice versa. Based on these perceptions, the Egyptian government expects the United States will ultimately back down from any threat or sanction, which undermines U.S. influence in Egypt. Reducing Egypt's annual military assistance appropriation would send the

18. Andrew Miller and Todd Bufler, "President Trump's Second Foreign Affairs Budget: Democracy, Governance, and Human Rights in the Middle East and North Africa in FY19" Project on Middle East Democracy (POMED), June 14, 2018, <https://pomed.org/fy19-budget-report/>.

19. Nicole Gaouette, "US, Citing Human Rights, Cuts Some Egypt Aid" CNN, August 23, 2017, <https://www.cnn.com/2017/08/22/politics/us-egypt-aid-denied-democracy/index.html>.

20. "Egypt: Court Orders Re-trial of NGO Foreign Funding Case," Reuters, April 05, 2018, <https://af.reuters.com/article/commoditiesNews/idAFI4N1R3J8R>.

21. Asmahan Soliman, "How Egypt Is Fixing Its North Korea Problem," Mada Masr, October 26, 2017, <https://www.madamasr.com/en/2017/10/26/feature/politics/how-egypt-is-fixing-its-north-korea-problem/>.

unmistakable message that the United States expects more in return for its support to Egypt. In addition, by disabusing Egypt of the notion that it can take its existing level of funding for granted, Congress can restore U.S. leverage over the Egyptian government.²²

The risks of cutting Egypt's military assistance and retaining human rights conditionality are often exaggerated. Contrary to popular belief, the United States did not undertake an indefinite commitment to provide Egypt with any specific level of military support at Camp David; reducing military assistance to Egypt would thus not put the United States in breach of the Israeli-Egyptian Peace Treaty. Moreover, the Peace Treaty is no longer dependent on U.S. mediation; Israel and Egypt have become solid, if quiet, allies. Nor will Egypt abandon the United States in favor of Russia or China in response to a reduction in assistance. Russia and China, in contrast to the United States, do not provide Egypt with military equipment as grant assistance, and the Egyptian government has no desire to be wholly dependent on any external patron, whether it is the United States or Russia. And, finally, a reduction in U.S. military assistance will not degrade the Egyptian military's ability or interest in combating terrorist groups. Egypt needs better training, which is relatively inexpensive, not new tools.

Egypt is on a dangerous course, one with grave implications for the United States. It will be difficult to reverse this trajectory, but Congress has an important opportunity to help the Trump administration tackle this thorny challenge by restoring U.S. credibility and influence with Egypt. If military assistance to Egypt is reduced and conditioned, the Trump administration will be in a stronger position to persuade al-Sisi's government to open up political space, reform its military doctrine, and address the country's growing radicalization problem. At the very least, cutting Egypt's military aid will be a service to the American taxpayer, who has seen little return on their investment in the current Egyptian government. The U.S.-Egyptian military assistance relationship no longer makes sense in its current form; I hope Congress will take this chance to recalibrate U.S. aid for a new era.

Thank you.

22. Andrew Miller and Richard Sokolsky, "Actually, Egypt Is a Terrible Ally," *New York Times*, December 18, 2017, <https://www.nytimes.com/2017/12/18/opinion/united-states-egypt-peace.html>.

Ms. ROS-LEHTINEN. Excellent recommendations from all of you.

Mr. Genser, you have represented some of the most well-known human rights activists and political prisoners in recent years, securing their freedom, their release, from a wide variety of countries.

Please compare the case of your clients in Egypt to those in other countries and are there certain aspects of Egypt's legal system and approach to human rights that stand out and what are the specific challenges that the accused face in Egypt?

Mr. GENSER. Thank you, Chairman Ros-Lehtinen. You have been an extraordinary partner for so many victims of human rights abuses around the world and especially in support of families of political prisoners, and it's going to be very sad to see you depart the Congress at the end of this term. We'll all miss you.

So with respect to the situation in Egypt and political prisoners, I think it's unmistakable that when you have tens of thousands of people detained at any one time, the reality is that most of them are being detained not even on trumped up charges but on no charges at all, and you can't have due process of law when you have tens of thousands being detained at once, let alone probable cause for arresting these kinds of people.

What my clients, Ola al-Qaradawi and Hossam Khalaf, have suffered these USLPRs is emblematic of the problem. You know, they were accused in media of being associated with the Muslim Brotherhood, although they were, of course, cleared by President Trump for their green cards.

So I would not find that to be a very credible accusation, and they've been held on renewable detention orders for a year and counting. Brought before judges that, you know, first heard 15-day renewals. Now it's every 45 days they appear.

They have had no access to their family for more than a year. Neither of them have been able to have access to their families, and even when they're brought to court, they aren't even able to access their counsel.

They're in a glass aquarium all the way across the courtroom and unable to even talk to their own lawyers, and Egypt has presented no evidence of any kind that they have committed any crimes, let alone that they would be prosecuted for them and they are in this permanent state of renewable detention.

This is a phenomena we see wide across Egypt, not just against U.S. legal permanent residents or American citizens but against ordinary Egyptians and real or imagined political opponents of the regime.

You also have, of course, the reinstitution of the emergency law which now has provided these alternate courts that don't have basic due process protections and no right of appeal and this is, obviously, a very, very dangerous trend where in the name of counter terrorism operations people are being sent to these kinds of court systems that have built-in endemic and systematic problems, and ultimately, the judiciary in Egypt, of course, is not independent or impartial as well.

So I think that this would—the situation in Egypt is very analogous to the kind of situations that I have worked with around the world in lots of different authoritarian contexts, whether it be, you

know, in Iran or a Cuba or Venezuela, you know, or any one of a number of African countries that I've worked in—the Gambia, you name it.

And I think the reality is that this is an authoritarian ruler and President Sisi, who is determined to have his way not only electorally but in terms of ensuring that there is no legitimate peaceful dissent that has any power of any kind to be able to challenge his rule, and I think that we see that playing out in the form of the number of political prisoners.

I think that in any country around the world where you see political prisoners that should be for everybody around the world, a sign that this is a country that is moving in the wrong direction rather than the—rather than the right direction and Egypt, having tens of thousands or more political prisoners, not even all of whom have been documented, and the way that they're treated in prison is very emblematic of the repression of the Sisi regime.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Genser. Thank you for your defense of political dissidents and we wish you much success in your human rights work.

Thank you very much. I will ask Mr. Donovan to take over for me, if he could, while I have some constituent appointments in the side room, and with that I am pleased to yield to the ranking member, my good friend, Mr. Deutch, of Florida.

Mr. DEUTCH. Thank you, Madam Chairman.

Egypt has seen a multitude of changes since 2011's uprising that led to a revolution. But looking at Egypt in its current state, I think the message that a lot of us have here is our concern about democracy.

And the recent Egyptian election indicator is that they weren't free and fair. Minorities and opposing voices are being repressed and Egypt's press and media are more and more restricted.

Mr. Miller, you proposed retaining human rights conditions on our assistance. We've had those conditions now in place over the past several years. To what extent have they worked or what more can be done to ensure that they do?

Mr. MILLER. Thank you, Congressman, and I think that they have, as I mentioned in my testimony, produced some results. We have seen that—we have seen that—there's finally movement in the 2013 NGO trial in which 17 Americans, 43 defendants overall, were charged and sentenced to up to 5 years of jail.

We've also seen, according to the Egyptians, that they forced the North Koreans to reduce the size of their presence within Cairo. In prior years, conditionality played an important role in getting the release of political prisoners—Aya Hijazi, Mohamed Soltan, other figures. It does produce results.

Now, they may seem small bore, but I think there's a reason for that. Part of the challenge is pressure only works if the other side believes that you're going to stick by it—that you're going to adhere to the conditions you laid out, and, unfortunately, over the past 40 years, the U.S. has tended to capitulate after applying pressure on the Egyptians.

And that's part of why I think coupling the conditionality with a reduction in assistance overall to send a message that the \$1.3 billion isn't sacrosanct, that is not simply enough to fulfil these

conditions but we want a genuinely different approach, will translate into better results.

There really hasn't been a good test of conditionality partly because we haven't stuck firm. If we stick firm in the future, I am fairly confident that we are going to get better results as well.

Mr. DEUTCH. Thank you.

Dr. Dunne, so other than reducing the amount of assistance, what's the best way to message—the most effective way to message on human rights to the Sisi government and has the administration done it? What more can the administration do to send that very clear message?

Ms. DUNNE. Thank you, Congressman.

Well, two things—I would say what the current administration has done that I think is effective is establish some specific benchmarks. It seems to be that when they withheld the \$195 million last summer, they established some specific benchmarks that they were looking for and that is I think the Obama administration didn't do that as clearly.

They withheld some assistance after the military coup but it wasn't really clear and then they ended up releasing it without gaining anything. So that wasn't very effective.

What the Obama administration did that I think was, in a way, better though was the public messaging. I haven't seen as much. I've seen a little bit. There started to be a little bit of public messaging from the Trump administration about concerns.

There was a little bit about the concerns about how the elections were run and so forth. But particularly, I think, as we move forward into a situation in which President Sisi I think is going to be looking around to see is it all right with everyone if he stays in office indefinitely and so forth—is there going to be any reaction to that internationally.

You know, there could be, I think, better public messaging and clearer and more consistent private messaging about these issues as well as conditions on aid—I mean, just discussing human rights and democracy issues.

Mr. DEUTCH. So you talked about benchmarks being one way to effectively move the needle on this. But what should that public messaging look like and who should it be coming from?

Ms. DUNNE. The public messaging that is most heard in Egypt, I think, is from either very senior members of the U.S. administration, such as the President and Cabinet members, or from Members of Congress.

Whether they speak here or whether they speak when they visit Egypt and so forth, I mean, that's the—it has to be a news maker, so to speak, in order to get across because I think it's very important that not only the Egyptian government hears the message.

Of course, Egyptian government figures can hear the message privately. But when it's made public, that indicates, you know, to the Egyptian public and so forth that these issues are being—are being raised with their government and I think it's important to get that across.

Mr. DEUTCH. Great. Thank you.

I yield back, Mr. Chairman.

Mr. DONOVAN [presiding]. The gentleman yields.

The Chair recognizes himself, since I am the only one left up here.

Let me just ask all of you one question and maybe everybody could contribute or give me their thoughts. It seems that in order to try to correct bad behavior in the area of human rights, we withhold military aid.

The Egyptians probably, I suppose, say then we still have to protect our own nation—we'll have to go elsewhere for that military aid. And where do they go? North Korea.

So we tell them, you can't go to North Korea or we are going to withhold more military aid. So it seems like we are squeezing a balloon a little bit, to me.

So could you guys give me your opinion on how we could be more successful to get them to crackdown on the violations on human rights and at the same time not let them go to an area where they're violating international laws and going somewhere else for the aid that they need to protect their own nation from their enemies?

Mr. MILLER. Thank you, Congressman. I think that's very much a legitimate concern and we have to be attentive to the second order effects of the policy positions that we take.

I think it's worth emphasizing, though, that the \$1.3 billion Egypt receives is well in excess of what they actually need in order to combat their problems.

As I said before, it's really not an equipment problem. I spoke with many U.S. senior military officials and they told me that the Egyptians are obsessed with magic boxes.

They think there's a technological solution to everything that will deal with IEDs, that will deal with insurgents, when in actuality it's a question of how they use the equipment.

And, unfortunately, the Egyptians haven't been receptive when the U.S. has offered training in counter terrorism doctrine and tactics.

Regarding the assistance level where they're going to go, what they want from North Korea, primarily, is missile parts and the reason they want that is because no one else will sell it to them.

If they don't get equipment from the United States, they're as equally likely to go to France or the U.K. as they are to go to Russia or China.

Now, there may be employment consequences for that and there's a concern about whether we are appropriately subsidizing U.S. defense contractors.

But in my—based on my personal experience, if we took the money we took away from Egypt and gave it to another country, they're going to order a lot of the same stuff. So there actually isn't going to be a net impact on how much money is going to subsidize the American arms industry.

Mr. DONOVAN. Anyone else care to comment?

Yes, Doctor.

Mr. TADROS. I think the issue is often framed and discussed in terms of the money itself and the value of the money has, obviously, diminished over the years.

The \$1.3 billion, and it was even much more—\$2 billion at the time that the peace treaty with Israel was signed—is, obviously not the same as what it buys today.

But more important to Egypt is the spare parts that they need for the weapons that they have been buying for 30, 40 years from the United States, and also the very fact of a relationship with the United States.

It matters to be an ally of the world's superpower in terms of prestige in the region, in terms of many things for them, getting economic aid from the World Bank and the IMF.

So I think the issue is not just the money there but there's also a lot of things involved. In terms of actually impacting their policies, I think it depends on how life and death issue the policy is for them.

The question of whether to—how to deal with the Muslim Brotherhood, for example, is viewed by the regime as a life and death issue. They did conduct a military coup.

They removed these guys and put them to prison. You don't conduct a coup and then go home and relax. You either rule or you're jailed or die for it.

So there are questions that, for them, no matter whether it's \$1.3 billion or \$10 billion, he's not going to put his life in danger for that amount of money.

But there are many other issues where we can have a serious discussion with the Egyptian regime on things that don't threaten the regime's continuation—questions related to media, to bloggers.

Dr. Dunne mentioned bloggers who are not even a threat to the regime or not part of any threat that there is for them. The question of the conditions of Christians in the country and many other issues that you can have an impact and leverage on because they are not life-threatening for them.

Mr. DONOVAN. Dr. Dunne.

Ms. DUNNE. In my experience, Congressman, I don't see President Sisi as resorting to other countries like North Korea or even Russia because the United States has put pressure on him.

The Egyptian-North Korean relationship goes very, very far back, and what I have seen is that President Sisi wants to diversify and sort of have all of the above—have all the relationships with all these different players as much as he can.

Now, the only question, I think, in terms of the United States is that is that all right with us. So, obviously, it wasn't all right with the United States for Egypt to have the kind of security relationship it has with the United States and also be buying weapons illicitly from North Korea.

Another issue that arose recently was the Russian government asked for access to Egyptian air bases, you know, and so that's a question—is that all right for the United States for—you know, I think that President Sisi will have as many—as many relationships as he can and it's not a question of he's taking one because he isn't getting it from someone else.

He just wants to diversify his relationships as much as possible and then we will have to decide if we are going to have a close security relationship—how much of that is okay with us and how much is not.

Mr. DONOVAN. I thank you all for your comments.

The Chair now recognizes Mr. Schneider.

Mr. SCHNEIDER. Thank you and, again, thank you to the witnesses for joining us today.

Normally, I try to go from the general to the specific but I think I am going to flip that on its head today and start with a specific and, if there's time, talk more general.

One of my particular concerns is the status of the LGBTQ community in Egypt. Last fall, as you may know, dozens of LGBTQ Egyptians and their allies were arrested and detained after a young Egyptian flew a rainbow flag at a concert in Cairo.

And prior to that there have been other mass arrests dating back all the way to the Queen Boat incident more than 15 years ago.

So, Dr. Dunne, I will start with you, but open the question to anyone. Essentially, three questions—any update on the situation for the LGBTQ community in Egypt and has the recent crackdown ended or is it still going.

The second question would be are there ways that the broad international community can have an impact on the environment for the LGBTQ people within Egypt, and the third piece is I would love your thoughts on the U.S. Government's response to these human rights abuses in Egypt.

Ms. DUNNE. Thank you, Congressman.

Yes. Sadly, I mean, this has been a long-running story in Egypt—you know, targeting, harassment of the LGBTQ community and it was—has been very much revived in the last couple of years and, unfortunately, it really has happened mostly under military-dominated governments and so—in Egypt specifically.

What I have seen, Congressman, is that it—there are times, and it's hard to explain why the government or actors—security actors within the government will decide to go after to target, to beat members of this community and to prosecute them, humiliate them publicly, and so forth.

What I have seen is that will tend to—that kind of harassment will tend to abate when there is international attention and also when Egyptians themselves start speaking up, which happened in a case a couple of years go where Egyptians themselves started to object.

But in the case that you mentioned with the people who were arrested at the concert, I believe that not all of them have been released yet—that some of them have been stuck in detention, because there wasn't quite as much attention to that case from the U.S. administration as there had been to some previous cases.

There was a bathhouse case, the Queen Boat case you mentioned from many years ago. So it's really important to speak about these things publicly and for Egyptian officials to hear about them from Members of Congress as well as the administration.

Mr. SCHNEIDER. Great.

Mr. Tadros. Mr. Miller.

Mr. TADROS. I think there's the reality of the nature of society there. It's a winning social issue for the government.

When they engage in such practices they are intended to shore public support for the government so that the government is defending values of the Egyptian people and tie the community and

the Western attention to it to Western attempts to weaken Egypt and conspire against it.

So I think the regime periodically engages in such practices when it serves the intention of shoring up local support for its policies.

Mr. SCHNEIDER. Mr. Miller.

Mr. MILLER. I think this speaks to an important point. There's an assumption that the secular ex-general must be more progressive or more socially tolerant than the former Islamist President, and the reality—President Sisi's policies are often no better and, in some cases, worse than former President Morsi's on social indicators.

LGBTQ rights is one example—also, blasphemy cases. There have been an increase in blasphemy cases under President Sisi as compared to President Morsi, which has a disproportionate impact on Coptic Christians, for instance.

While most of the cases involve Muslims, most of the defendants who go to prison are Christians.

So in many respects, partly because Sisi is not labelled as an Islamist, he feels freer to cater to the conservative impulses in Egypt that Mr. Tadros mentioned.

Mr. SCHNEIDER. Great. Thank you.

And with the few seconds I have left, the big question, more general, more than half of Egypt's population is under the age of 25—actually, 24.

The population is expected to grow to 130 million in the next decade. They're trying to bring that number down. But demographics has to play into the economic impact and also broader human rights expectations of both these young people and it could be a challenge but it could also be an opportunity.

So if I could have the indulgence of another minute I would love your thoughts on that as well.

Ms. DUNNE. Yes, Congressman. This is the mega issue for Egypt is its rapidly growing and youthful population. Population growth in Egypt had been slowly declining but now it's turned around and it's been growing rapidly again.

The labor force is growing rapidly and even with an economic growth statistic, a GDP growth right now of I think 5.4 percent, that sounds good.

To us in the United States, that sounds excellent. But with the population growing with, you know, more than 2 million Egyptians joining the population every year, that doesn't go very far.

So, you know, there's a crying need to address the population growth issue itself. Egypt has done some things but not nearly as much as some others, even others in the Middle East region have done about that.

And then there's a great need to generate jobs and that is another problem of the economic program of President Sisi. While he has instituted important austerity measures, there's been much less in terms of facilitating private sector growth, the growth of small and medium enterprises that really could generate a lot of jobs.

It remains an economy and even increasingly is an economy in which the playing field is heavily tilted toward the military in

which the military has really been gobbling up a lot of the state contracts and so forth and therefore, you know, it's a very worrisome issue.

Just the last thing I would say is about water. Egypt is going to be, because of its population growth, facing a very serious water shortage within not too many years.

Mr. SCHNEIDER. Great.

Thank you. I am out of time. Thanks for the extra time.

Mr. DONOVAN. Did you want to comment, sir?

Mr. SCHNEIDER. Oh, thank you.

Mr. TADROS. If I may. I think the demographic challenge is, obviously, there. The economic part of it is important. So is the educational part.

Egyptian education does not prepare this new generation for the kind of jobs that the new world needs from them. I think there a need to look into U.S. efforts to support educational reform to Egypt both in terms of addressing radical ideas that exist in the textbooks and the kind of anti-tolerance messages that are there as well as looking at the educational system as a means to help the country address its problems.

The water resource issue is very important as well. The conflict—the growing conflict between Egypt and Ethiopia has the potential of becoming an actual war and I think it's in the best interests of the United States to deal with this issue before it truly reaches an explosion point.

Mr. DONOVAN. I thank you.

The Chair now recognizes the ranking member.

Mr. DEUTCH. Thank you, Mr. Chairman.

Just before we wrap up, I wanted to ask a couple questions about the Egyptian military operations, particularly in Sinai. They have sustained significant losses.

Can someone speak to the U.S. counterterrorism support for the Egyptian forces? Mr. Miller, can you speak to that?

Mr. MILLER. I would be happy to, Congressman.

There is ongoing support and it's largely of two dimensions. One is intelligence support. We provide them with information on the location and identity of extremists who are operating in the Sinai and that helps them to intercept them.

But the major problem, as I said before, was the training dimension. Egypt employs a conventional obsolete approach to asymmetric threats that isn't appropriate to dealing with insurgents, that isn't appropriate to dealing with terrorists, and repeatedly the United States, going back to the late Bush administration—the George W. Bush administration—has tried to have this conversation with the Egyptian military—the need to reform how they approach these threats, to focus on building allegiances with local populations, understanding that the intelligence they provide is the key to success and paying attention to how they're impacted by what's taking place.

The impact has been tremendous. You have 3,000 additional homes destroyed during just this operation. You have over 3,000 families who have been forcibly relocated. That's not the way you win a counterinsurgency campaign.

But I think that the U.S. Government would be happy and the military will be happy to provide additional training in those areas. Unfortunately, every time we've offered it the Egyptians normally say, well, you guys, you failed.

You failed in Afghanistan. You failed in Iraq. You have no idea what you're doing. Just give us the weapons and let us do the job our way.

And while we understand their frustration and we understand that we are not perfect—we made mistakes—we wish they would make use of our mistakes and incorporate them into their approach, moving forward.

But until they're willing to accept that type of training, to have a dialogue on how they approach these threats, unfortunately, I don't think they're going to achieve sustainable success against these militants.

Mr. DEUTCH. And so just to follow up, given the focus on military strikes as the response—the sole response—are there efforts to address the drivers of the extremism—of the ideology in Sinai?

Mr. MILLER. We tried to have those conversations with Egyptian officials, and Mr. Tadros was talking about the need to have these conversations.

In my experience, not just in the Obama administration but in the first months of the Trump administration, the Egyptians wanted to treat the relationship like a Chinese menu. They wanted to discuss what was important to them and they wanted to ignore what was important to us, and often that meant these types of issues. They ignore the connection between radicalization—between imprisonment, between torture, and radicalization and they say, we know how to deal with it.

I remember being in a meeting with President Sisi where he said, there are two ways to deal with terrorists—you either lock them up or you kill them.

Obviously, that leaves something to be desired, according to modern understandings of how you deal with terrorists and insurgents, and while that may be emotionally appealing at a certain level, it's unlikely to be efficacious.

It's unlikely to produce those results, and that's one of the reasons why I think we need to reset the relationship. Under the current construct, we are not able to have the conversations we need with the Egyptians because we are overwhelmingly focused on what equipment they want and what equipment they're going to receive rather than having a genuine strategic discussion about our goals and their goals and how we can better work together.

Mr. DEUTCH. Mr. Tadros or Dr. Dunne, do either of you have comments?

Mr. TADROS. I think for—I mean, Egypt has been fighting the group in Sinai—the Islamic State affiliate—for 6 years now.

All previous military campaigns—there have been large military campaigns—they have all failed. The Egyptian regime has announced numbers of about 3,000 or more that they've killed of these terrorists and arrested another 16,000 of terrorists in Sinai while all estimates of the actual number of fighters of the Islamic State ranges from 700 to 1,000.

So they're, obviously, not ending the threat there. They're killing and arresting the wrong people and not ending the threat. The last military campaign that was started in February shows much more positive signs of success.

For the first time, they focused on the communications of the Islamic State, which has both diminished the ability of them to carry coordinated attacks because they operate more as independent cells that coordinate then large attacks but each is focused on its own area of operation—as well as limited their ability to use media and to talk about their operations and build support.

I think also a very important development is the fact that this operation comes after the major massacre of more than 300 peaceful Moslems praying in their mosque. The brutality of the Islamic State—the fact that they targeted normal Moslems—not the security forces, not the Christians, but just regular guys.

I think this also helped build popular support in the Sinai for the military to finally deal with that situation. So while the potential for a return of major attacks by the Islamic State remains, I think we've seen more positive signs in the last couple of months.

Ms. DUNNE. Just briefly, Congressman, I want to add that while—you know, we will see what the results of the most recent military campaign in the Sinai were, you know, perhaps there—we will see a diminution of the militancy in the Sinai. It's really too early to say yet.

But what really concerns me is what is going on inside of Egyptian prisons. When we see tens of thousands of people, almost all of them young people—the vast majority young men—and we hear about the kinds of conditions—the torture, the brutality, the solitary confinement, the lack of medical treatment, and that they're often exposed in prison to militants from ISIS and other extremist groups who seem to have free rein to talk to people and recruit and so forth, it really makes me worried.

I mean, that's another reason to pay a lot of attention to the human rights problems in Egypt—first of all, from the point of view of principle but also out of concern that this is a radicalization factory—that it will be producing militants, you know, for many years to come, I fear.

Mr. DONOVAN. The Chair now recognizes the gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much. I apologize to—I missed most of hearing today. As usual, you're scheduled for at least two or three really important things at exactly the same time.

Any discussion of Egypt is an important thing. It is vital because if the Egyptian government would happen to come under the domination of a radical Islamist, the entire Middle East would be destabilized and there would be war. There would be war and millions of people killed.

I remember, and I understand when we can look at—with a very, how do you say, principled look and say, this is the standard we have. Even if—and no matter what's going on in a country they can't do this.

But I think that when we look at Egypt today, we better calculate what the danger is and not—I mean, I remember when the Shah of Iran was overthrown. I remember that, and I remember

how we basically threw him under the bus, as they say, and what did we get for that?

What did we get for demanding that the Shah restrained himself in the street demonstrations and these organizations efforts to get rid of him?

Well, what we got was a brutal mullah dictatorship that even today, as we speak, is murdering its own people and trying to suppress those people's aspirations.

And let us note for the record I hope that if anything comes out of this hearing it's that we support the people of Iran who are trying to overthrow the mullah dictatorship.

And with that said, I would hope that if they manage to do that and they manage to set up an interim government that we don't all of a sudden start having such a high standard that we are judging them by that another mullah regime can beat them down and take power.

We saw it with Qaddafi. Qaddafi was a bad guy. Qaddafi made some deals with us and with the Russians to get rid of his nuclear weapons. He made a deal with us to make sure that the radical Islamic terrorism would not be used in Libya.

And guess what? We decided to go with the pure Democrats and what do we have now? We have terrorists who were in control of about a third to a half of Libya and total chaos.

Saddam Hussein—Saddam Hussein was a bad guy, and I don't think it was—I certainly believe that we should have tried to help the people in Iraq at the time but we ended up sending U.S. soldiers down there.

When the United States is trying to make up its mind what to do, we better do it rationally and we shouldn't be doing it based on some—on an analysis that is not in firm ground of reality.

So with that said, just what you just mentioned about President el-Sisi, who I think is one of the great champions of stability in that part of the world and without him I believe that there would be many more people dying.

I believe that the—especially if as Morsi would have continued the direction he was going, just the same direction Erdogan is going today, I think that leads to death, instability, and it leads to far less freedom in the long run.

Yes, someone who is a terrorist, yes, it doesn't bother me that he wants to either string him up or whatever he wants to do with him. Quite frankly, it is a good thing when a terrorist is put out of commission, whichever way they figure out how to do that.

Now, I realize that I've spoken too long now, but I should give you all a chance to refute everything I just said, which is fine—which is part of the process here.

But let me just say we better be darn realistic when we are dealing with these—with these challenges because if we end up with more people dying and more tyranny in the long run because we've held someone up to a standard that is not appropriate for that particular moment, shame on us.

And by the way, I just—I will finish up with saying much of the criticism I've heard of el-Sisi and his regime has been just that. It's been criticism based on a standard that should not be used at this moment.

So with that said, go right ahead and—I know you have some disagreement with me so but go right ahead and do so. Whoever—

Ms. DUNNE. Thank you, Congressman Rohrabacher.

You know, I have to say I really share your concerns that if Egypt would come under the domination of a radical Islamist regime or leader that it would destabilize the entire region. I agree with you entirely.

My worry is that the degree of repression under President Sisi could be taking the country in exactly that direction—you know, that there is really—at this point there are not—the normal channels through which, you know, peaceful differences of opinion through formal politics, electoral competition in the Parliament, through a free media, through civil society organizations and so forth—frankly, things that Egypt had to a greater degree under President Mubarak in the past than they have now, you know, and even then Egyptians, you know, eventually revolted against Mubarak—that without these outlets, I really fear that there could be a breakout of violent radical, you know, opposition to President Sisi, particularly, you know, if he tries to remain in office more or less indefinitely.

So, you know, that is my concern. I don't think anyone here is suggesting that the United States should do anything like intervene in Egypt or the way it did in Iraq or even participate in an intervention the way it did in Libya.

But to somehow use what influence we have to try to persuade the Egyptian leadership to open up those channels for the peaceful expression of dissent and for peaceful political competition so that Egyptians can find their way forward without future destabilization and an increase in violence.

Mr. ROHRABACHER. Thank you very much.

Mr. DONOVAN. Seeing that there's no other members seeking recognition, I thank the witnesses for sharing your expertise and your opinions with us.

This committee stands adjourned.

[Whereupon, at 4:09 p.m., the committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on the Middle East and North Africa
Heena Ros-Lehtinen (R-FL), Chairman

July 17, 2018

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs to be held by the Subcommittee on the Middle East and North Africa in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>).

DATE: Tuesday, July 24, 2018

TIME: 2:00 p.m.

SUBJECT: Egypt: Security, Human Rights, and Reform

WITNESSES: Mr. Samuel Tadros
Senior Fellow
Center for Religious Freedom
The Hudson Institute

Michele Dunne, Ph.D.
Director and Senior Fellow
Middle East Program
Carnegie Endowment for International Peace

Mr. Jared Genser
Adjunct Professor of Law
Georgetown University Law Center

Mr. Andrew Miller
Deputy Director for Policy
Project on Middle East Democracy

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5921 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON The Middle East and North Africa HEARING

Day Tuesday Date 07/24/18 Room 2172

Starting Time 2:45 p.m. Ending Time 4:09 p.m.

Recesses ☐ (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Heana Ros-Lehtinen, Rep. Donovan

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

TITLE OF HEARING:

Egypt: Security, Human Rights, and Reform

SUBCOMMITTEE MEMBERS PRESENT:

GOP- Rep. Issa, Kinzinger, Zeldin, Donovan, Wagner, Fitzpatrick, Curtis

Dem- Rep. Deutch, Cicilline, Frankel, Boyle, Schneider, Lieu

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

Rep. Hill, Rohrabacher

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

Rep. Ann Wagner Questions for the Record

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 4:09 p.m.

Antoniella Pannalunghi
Subcommittee Staff Associate

**Rep. Wagner's Questions for the Record
For Middle East and North Africa Subcommittee Hearing
"Egypt: Security, Human Rights, and Reform"**

Response from Mr. Samuel Tadros

Question: *Mr. Tadros, I'm glad you mentioned the violent persecution faced by Coptic Christians. President Sisi's "reconciliation sessions" are a meaningless response to mob attacks on the Coptic community. Minority groups will not be safe until the government proves that it will not tolerate majoritarian violence. How can Congress hold the Egyptian government accountable for failing to protect its minority communities?*

Response: The Egyptian government's record on addressing rampant discrimination against Copts and protecting the Christian community from attacks has been dismal. The Egyptian government has engaged in various discriminatory policies against Christians in five areas:

Firstly, laws on building churches are highly restrictive, making the building of churches in Egypt a nearly impossible task. In the past six years, only twelve church building permits have been granted by the various presidents ruling Egypt. After repeated promises of solving the problem, a church building law was passed last year which poses significant limitations on the building of churches. The Churches supported the law hoping that the provision allowing the recognition of existing churches would be implemented. Despite government promises, security forces have continued to close existing places of worship to stop them from being registered.

Secondly, Christians have been systematically excluded from important government positions. The current Egyptian government has only one Christian minister out of thirty-four ministers. Not a single Christian serves in the position of governor or university president. Christian representation in the military, police, judiciary, and foreign service are around 1% while not a single Christian is allowed in the state security service or intelligence services.

Thirdly, Coptic history, heritage, and culture are excluded from the country's schoolbooks and official government media. Egyptian schoolbooks ignore the Coptic period from Egyptian history. Moreover, negative portrayals of Christianity remain widespread in the Egyptian curriculum.

Fourthly, the Egyptian government continues to uphold discriminatory laws such as blasphemy laws that have been used to mainly target Copts and other religious minorities, inheritance laws, which force Copts to divide inheritance according to Islamic Sharia, and legal punishments for converts to Christianity.

Lastly, the government has failed to stop attacks on Copts and has repeatedly refused to punish attackers. Attacks on Copts result in government-initiated reconciliation sessions which result in the perpetrators not facing any legal action creating a culture of impunity and encouragement that has led to a dramatic increase in the number of attacks on Copts in the past decade.

Necessary steps:

1. Encourage Egypt to address the problem of building churches. The Egyptian Churches reluctantly supported the current law passed in December 2017 because of the provision allowing the recognition of existing churches within one year, despite the heavy restrictions on building new ones. The Churches hoped that once existing churches were recognized, they could challenge the law's constitutionality in the Supreme Court. Their hopes have been dashed. Security forces routinely close existing churches in order to stop them from being recognized. Congress should raise restrictions on building churches with Egypt's President urging him to pass a new law allowing church building and treating places of worship belonging to all religions equally. Congress should specifically mention security forces' practice of closing churches especially in the province of Minya, where numerous churches were closed in the past year.
2. Encourage Egypt to offer protection for Copts from attacks in Egypt's villages and small towns. While terrorist attacks are harder to foil, security forces are regularly informed by Copts themselves of mob attacks before they take place in villages in Egypt's southern provinces. Security services should not arrive only after an attack takes place, but should instead attempt to prevent it.
3. Highlight the problem of reconciliation sessions that deny Copts attacked any form of justice. Egypt should enforce the basic rule of law by arresting and prosecuting attackers instead of resorting to reconciliation sessions that deny justice and let attackers walk free. In over 500 attacks on Copts in the past three decades not a single case has been brought to court. Congress should highlight that these reconciliation sessions not only create a culture of impunity, but also encourage further attacks as these sessions often agree to attackers' demands.
4. Encourage Egypt to address discriminatory laws against religious minorities. Congress should ask Egypt's President why non-Muslims are forced to divide their inheritance according to Islamic law giving males double what female receive. Blasphemy laws should also be addressed especially that they are exclusively used against religious minorities. Recent victims of such accusations include underage children that have been forced to seek asylum in Switzerland.
5. Encourage Egypt to enforce a merit-based system in government appointments that does not discriminate against Copts. President Sisi needs to take some bold steps in addressing government discrimination.
6. Ask Egypt to address the problem of intolerance and incitement in its educational system and especially in the Al Azhar curriculum. Egypt needs to reform its educational system and offer curriculum that promote equality and educate students on the important contributions that all Egyptian regardless of their religions have made to the country.
7. Congress should ask USAID and other agencies to include religious discrimination in its criteria for projects in Egypt. A system that creates local incentives for governors by which governors that attempt to protect the Coptic population and reject reconciliation sessions should be rewarded, while other governors where the local authorities show no interest in addressing the issue should not be receiving the latest aid project from the United States.

In general it would be really beneficial for members of Congress in their conversations with Egyptian authorities to mention the important contributions that Copts make in America. Coptic Americans are a vibrant community that includes distinguished people in all fields from Dina Powell previously of the NSC to Rami Malek, the Emmy best actor. Congress should highlight its concern not in religious freedom terms but as a challenge for Egypt which is losing some of its best talents that could contribute to its advancement.

Response from Michele Dunne, Ph.D.

Question: *In some ways, the U.S.-Egypt relationship parallels the U.S.-Pakistan relationship—we rely on the partnership, but struggle to control our counterpart's behavior. The Administration has withheld aid from both countries in response to their failure to cooperate with the United States. Dr. Dunne, should Congress seek to codify explicit conditions on U.S. aid to Egypt?*

Response: While it is difficult for Congress to control remotely a bilateral relationship managed by the executive branch, the Congress has acted wisely in writing explicit human rights conditions into legislation providing funds for aid to Egypt. Such conditions compel the administration to incorporate the values of human rights and democracy—which administrations often disregard--into foreign policy and assistance decisions, and to consider the reputational and practical costs to the United States when it blindly supports governments that are major rights abusers. In the case of Egypt, as human rights abuses have soared since the 2013 military coup, Congress has gradually increased the percentage of assistance subject to such conditions, and has recently demanded that the administration make public its reports to Congress on these issues. In addition to the possibility of diminishing the aid itself, the remaining piece of leverage Congress has is to eliminate the waiver for national security reasons. The Trump administration recently suspended some military assistance to Egypt based on three conditions (two of them related to rights), but then restored all of the assistance without the conditions being met. If the administration is not able to show results from its approach within a few months, Congress should consider removing the national security waiver in legislation for FY20 assistance.

Question to Mr. Jared Genser

Question: *Protecting human rights is one of my most important duties as a member of Congress. Last week, the House overwhelmingly passed my bill, the Elie Wiesel Genocide and Atrocities Prevention Act, to jumpstart reforms in preventing mass atrocities. Mr. Genser, how should the United States respond to reports that Egyptian forces stationed in the Sinai Peninsula have committed human rights abuses against civilians?*

[**Note:** No response was received to the above question prior to printing.]